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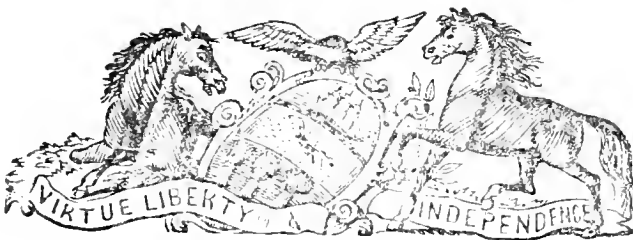
STATE OF PENNSYLVANIA,

PASSED AT THE SESSION OF 1855.

IN THE

SEVENTY-NINTH YEAR OF INDEPENDENCE.

WITH AN APPENDIX.



HARRISBURG:

A. BOYD HAMILTON, STATE PRINTER.

1855.

1879

Jan
15
Feb
1879

BY AUTHORITY.

CONTENTS.

NO.	PAGE
1. A supplement to an act, entitled "An Act relating to the elections of this commonwealth," passed July second, one thousand eight hundred and thirty-nine,	1
2. A supplement to the act incorporating the town of Palo Alto into a borough, approved May twenty-ninth, one thousand eight hundred and fifty-four,	2
3. An Act relative to the purchase of certain books for the legislature,	3
4. An Act changing the time of holding the spring election in the borough of Freeport, Armstrong county,	3
5. An Act to repeal the registration act,	4
6. A supplement to an act in relation to establishing and changing the places for holding general elections throughout the commonwealth, passed April twentieth, one thousand eight hundred and fifty-four,	5
7. An Act fixing the place of holding elections in Burrel township, Armstrong county,	5
8. An Act to confer on Kate E. Clark, the rights, privileges and advantages of a child born in lawful wedlock,	6
9. A further supplement to the act incorporating the House of Refuge of Western Pennsylvania, passed April twenty-second, one thousand eight hundred and fifty,	6
10. An Act to authorize the Bear Creek and Lehigh plank road company to borrow money,	7
11. An Act to close finally the trusts of the late Bank of the United States,	8
12. An Act relative to the Lehigh Crane iron company,	9
13. An Act consolidating the wards of the city of Pittsburg for educational purposes,	10
14. An Act to increase the capital stock of the Short Mountain coal company,	19
15. A supplement to an act, entitled "An Act to incorporate the Lancaster and Marietta turnpike road company,"	19
16. An Act changing the time of holding the courts in the county of Susquehanna,	20

NO.	PAGE
17. Supplement to an act, entitled "An Act to incorporate the Yardleyville and Newtown turnpike and plank road company," approved April ninth, one thousand eight hundred and fifty,	21
18. An Act authorizing the trustees of the Erie academy to open and re-settle the account of Matthew Pollock,	21
19. An Act relating to George Shoenefelt, of Blair county, an habitual drunkard,	22
20. An Act to confer on John Thomas Moffett, of Washington county, the benefits of a child born in lawful wedlock,	23
21. An Act to extend the powers of certain officers in Allegheny county,	23
22. A supplement to an act incorporating the Western University of Pennsylvania, passed February nineteenth, one thousand eight hundred and nineteen,	24
23. An Act authorizing a special road tax in Le Bœuff township, Erie county,	25
24. An Act allowing the commissioners of Warren county to lay additional tax for the purpose of erecting certain public buildings,	25
25. A further supplement to the act incorporating the Wilkesbarre and Providence plank road company,	26
26. A supplement to an act to authorize the governor to incorporate the Newtown Square and Paoli plank road company, approved the twenty-ninth day of January, one thousand eight hundred and fifty-three,	27
27. An Act to prevent the hunting of deer with dogs in the county of M'Kean,	27
28. Supplement to the act incorporating the Mercer and Shenango plank road company in Mercer county,	28
29. An Act changing the place of holding elections in the borough of Loretto, Cambria county,	29
30. An Act to prohibit the fishing with drag-nets or seines in the harbor or bay of Presque Isle, in the county of Erie,	30
31. A supplement to an act, entitled "An Act taxing dogs,"	30
32. An Act to exempt the Blairsville female seminary from taxation,	31
33. An Act to authorize the town council of the borough of Pottsville, to release to the use of the Mount Carbon railroad company, a part of a certain street in said borough of Pottsville,	32
34. An Act to appoint commissioners to run and mark the county line between Bedford and Somerset,	32
35. An Act to authorize the opening of Franklin street, from Parrish to Poplar, in the county of Philadelphia, and to assess the damage upon the same,	34
36. An Act to extend the time of commencing and completing the Andalusia and Huhneville turnpike road company,	35
37. An Act to alter an act authorizing the incorporation of the Plymouth and Upper Dublin turnpike road company,	35

NO.	PAGE
38. A supplement to the act concerning roads and highways in the county of Crawford, passed March second, Anno Domini, one thousand eight hundred and fifty-four,	36
39. A further supplement to the act consolidating the Lackawanna and Western and the Delaware and Cobb's Gap railroad companies, approved the eleventh day of March, one thousand eight hundred and fifty-three,	37
40. A supplement to an act, entitled "An Act to charter the Girard life insurance, annuity and trust company of Philadelphia,"	37
41. An Act to authorize the auditors of Somerset county to re-audit the accounts of John A. Snyder, late treasurer of said county,	38
42. An Act relative to taxes in the borough of Coudersport, county of Potter,	39
43. An Act to incorporate the Tunkhannock Creek plank road or turnpike company,	39
44. An Act to incorporate the Blue Mountain turnpike company,	40
45. An Act to appoint commissioners to lay out a state road from the diamond in Perryopolis, in Fayette county, to the store of Joseph Snyder, on the Mount Pleasant and Bellevernon state road,	41
46. An Act to incorporate the Springfield plank road company,	43
47. An Act exempting certain property given and devised to the Orphans' asylum of Pittsburg and Allegheny, from the payment of the collateral inheritance tax,	44
48. An Act appointing a place to hold the elections in Moon township, Allegheny county,	45
49. An Act to confirm the title of Rev. John Sisty to certain real estate in the city of Philadelphia.	
50. An Act to incorporate the Farmers' high school of Pennsylvania,	46
51. An Act to incorporate the Newtown Square and Street Road plank road company,	49
52. An Act declaring a certain bridge heretofore erected over the West Branch of the Octorara creek, in Lancaster county, to be a county bridge,	50
53. An Act to authorize the dissolution of the corporation, entitled the Pennsylvania steamship company,	50
54. An Act relative to elections in Cherry Hill and Green townships, Indiana county,	52
55. An Act to prevent the sale of intoxicating liquors on the first day of the week, commonly called Sunday,	53
56. An Act to confirm certain proceedings and sheriff's sale, in case of Logan against Smith,	54
57. An Act relative to the Anderson library, of the city of Allegheny,	55
58. An Act for the protection of fruit in Warren, Venango, Mercer, Crawford and other counties,	55

NO.	PAGE
59. An Act to incorporate the Hereford turnpike road company,	56
60. An Act appointing commissioners, and authorizing them to lay out a certain road in Cumberland and York counties,	57
61. An Act to authorize George M. Lauman to form a connection between the Susquehanna river and the Eastern division of the Pennsylvania canal above Portsmouth,	59
62. An Act for the relief of Sarah Miller,	60
63. An Act relative to elections in the borough of Lebanon, in the county of Lebanon,	61
64. An Act to change the time of holding the courts for the county of Mercer,	61
65. An Act relative to the courts of Lebanon and Dauphin counties,	62
66. An Act relative to certain contingent expenses of the legislature,	62
67. An Act supplemental to an act, entitled "An Act to incorporate the Cleveland and Pittsburg railroad company,"	63
68. An Act relative to the coroner of Armstrong county,	64
69. A supplement to an act, entitled "An Act to authorize the governor to incorporate the West Chester railroad company," passed the eighteenth day of February, one thousand eight hundred and thirty-one,	64
70. An Act to authorize Ridgway township, in Elk county, to purchase a bridge over the Clarion river, and to levy an additional tax to pay for the same,	65
71. An Act to incorporate the trustees of the Wagner free institute of science,	66
72. A supplement to an act, entitled "An Act for the relief of James and William Patten, and William Wharton, of Turbett township, Juniata county; incorporating the Building Association fire insurance company of Philadelphia," et cetera, approved the first day of May, one thousand eight hundred and fifty-two,	67
73. An Act extending the jurisdiction of the courts of this commonwealth in cases of divorce,	68
74. An Act relating to the election of constables in the borough of Gettysburg, in the county of Adams,	69
75. An Act relative to the several courts of Jefferson county,	69
76. A supplement to the act laying a tax on dogs in certain townships in the county of Chester,	70
77. An Act extending to East Earl township, Lancaster county, the provisions of the thirteenth section of an act relative to the elections of assessors and constables in Salisbury and Caernarvon townships, in said county, approved April tenth, one thousand eight hundred and fifty-one,	70
78. An Act appropriating eighty thousand dollars for the continuation of the new work on the Allegheny Portage railroad,	71

NO.	PAGE
79. An Act to fix the place of holding elections in Penn township, Westmoreland county, and in the borough of Clarksville, in Mercer county,	72
80. A further supplement to an act, entitled "An Act to incorporate the Broad Mountain improvement and railroad company," approved April eighteenth, one thousand eight hundred and fifty-three, and the several supplements thereto,	72
81. A supplement to an act to define and punish the offence of bribery, passed the third day of March, one thousand eight hundred and forty-seven,	73
82. A further supplement to the several acts relative to the Union canal company of Pennsylvania,	74
83. An Act relative to the directors of the poor of Chester county,	75
84. A supplement to an act, entitled "An Act authorizing the commissioners of Franklin county to borrow money for certain purposes," approved April seventh, one thousand eight hundred and fifty-four,	75
85. A supplement to the act authorizing a state road from Gettysburg, Adams county, to the Buck tavern, in Lancaster county,	76
86. An Act relative to the collection of the school tax in Young township, Jefferson county, for the year one thousand eight hundred and fifty,	77
87. An Act relating to taxes in the county of Erie,	77
88. An Act relative to overseers of the poor in the county of Allegheny,	78
89. An Act to authorize the erection of Slocum township, Luzerne county, into a separate election district,	79
90. A further supplement to the act incorporating the Donaldson improvement and railroad company, formerly the Eagle iron company, approved on the fifth day of May, Anno Domini one thousand eight hundred and forty-one,	80
91. A further supplement to an act, entitled "An Act to incorporate the city of Lancaster," passed the twentieth day of March, one thousand eight hundred and eighteen,	81
92. An Act to legitimate Amelia M. Tomlinson,	82
93. An Act authorizing the commissioners of Jefferson county to employ an artist to make out a draft of the borough of Brookville,	83
94. A supplement to an act, entitled "An Act extending the charter of the Honesdale Bank," approved the fifth day of April, Anno Domini one thousand eight hundred and forty-nine,	84
95. An Act to increase the pay of the commissioners and auditors of Allegheny county,	85
96. An Act to legitimate Ledyard Eastman,	85
97. An Act to incorporate the Exchange mutual insurance company,	86
98. An Act supplementary to the health laws of the city and port of Philadelphia,	89

NO.	PAGE
99. An Act relative to the collection of taxes in the city of Lancaster,	92
100. An Act to enable John H. and Rebecca Bugher to adopt a child as their lawful heir, by the name of Emily Bugher,	92
101. An Act relative to the courts of Wayne county,	93
102. An Act to amend an act to incorporate the Oakland cemetery, passed April fourteenth, one thousand eight hundred and fifty-one,	94
103. An Act to change the time of holding the several courts in the fourth judicial district,	94
104. An Act to fix the time of holding the courts in Clinton county,	95
105. An Act to incorporate the Galitzia plank road company,	96
106. An Act to incorporate the Associated butchers and drovers of Philadelphia,	97
107. A supplement to an act in relation to elections and certain election districts, approved the eleventh day of March, one thousand eight hundred and fifty-two,	99
108. An Act to incorporate the Mill Creek and Dallastown plank road, in York county,	99
109. An Act for the relief of Jane Glasgow, a widow of a soldier of the Revolutionary war,	101
110. An Act to incorporate the Marble Hall and Spring Mill turnpike road company,	102
111. A supplement to an act to open a certain street in the borough of Columbia,	103
112. An Act supplementary to an act, entitled "An Act to incorporate the Darlington Cannel Coal railroad company," passed third day of March, one thousand eight hundred and fifty-two,	103
113. A supplement to the act incorporating the Pittsburg and Connellsville railroad company,	104
114. An Act supplementary to an act to incorporate the borough of Reading, Berks county, into a city, passed the sixteenth day of March, one thousand eight hundred and forty-seven	105
115. An Act to relieve the property of the Northern Association, in the city of Philadelphia, for the relief and employment of poor women, from taxation,	107
116. An Act to incorporate the Cambridge and Marvin's Mills plank road company,	108
117. An Act confirming and re-establishing the act of one thousand eight hundred and fifty-two, authorizing J. C. Plumer to erect a lock in his dam on the Youghiogheny river,	109
118. A further supplement to the act incorporating the Liggitt's Gap railroad company, approved April seventh, Anno Domini one thousand eight hundred and thirty-two,	110
119. An Act to authorize the removal of certain convicts from the Eastern penitentiary to the Schuylkill county prison,	111

NO.	PAGE
120. An Act to appoint commissioners to run and mark the boundary lines between Lebanon and Berks and Lebanon and Schuylkill counties,	111
121. A further supplement to an act, entitled "An Act to incorporate the Mount Eagle and Tremont railroad company,"	113
122. An Act to repeal the act establishing a public ferry in the Susquehanna river, at Centreville, in Columbia county, approved eighth April, one thousand eight hundred and fifty-two,	114
123. Supplement to the act, entitled "An Act to incorporate the Allegheny railroad and coal company,"	114
124. An Act to annul the marriage contract between Helen M. Gallagher and Charles B. Gallagher, her husband,	115
125. An Act relating to the estate of John M. Melizet, deceased,	116
126. A supplement to the act incorporating the Cash Mutual fire insurance company of Pennsylvania,	116
127. An Act for the relief of Mary Merryman, widow of an old soldier,	117
128. An Act validating the election and acts of school directors in Butler county,	118
129. An Act to prevent damage to a farm of Elizabeth Hall by the West Branch division of the Pennsylvania canal,	119
130. A supplement to an act passed the twenty-ninth day of March, Anno Domini, one thousand eight hundred and twenty-three, chartering the Columbia water company, in the borough of Columbia, Lancaster county,	118
131. An Act to legitimate the children of Aaron Balliet, of Lehigh county,	120
132. An Act relative to a tax on dogs in the county of Fayette,	120
133. An Act authorizing the president and managers of the Limerick and Colebrookdale turnpike road company to borrow money,	121
134. An Act repealing an act relative to bounties on fox scalps in the counties of Schuylkill and Greene,	122
135. A supplement to an act, entitled "An Act to erect the town of Huntingdon, in the county of Huntingdon, into a borough," passed March twenty-nine, one thousand seven hundred and ninety-six,	122
136. An Act to incorporate a company to make a plank road from Hope-well to Bloody run, in Bedford county,	124
137. An Act to enable the Susquehanna and Waterford turnpike road company to resume the possession of that part of said road located in the counties of Venango, Clarion, Jefferson and Clearfield,	125
138. An Act to establish a ferry over the river Susquehanna, at or near Ulster, in Bradford county,	126
139. A further supplement to an act to incorporate the Pittsburg and Steubenville railroad company,	127
140. An Act relative to Hancock street, in the city of Pittsburg,	128

NO.	PAGE
141. An Act relating to the subscriptions of Allegheny county to certain railroad companies,	129
142. A supplement to an act relative to the erection of a bridge over the Youghiogheny river, in Fayette county, approved the twenty-fourth day of February, one thousand eight hundred and fifty-five,	129
143. A supplement to an act, entitled "An Act to incorporate the Point Breeze Park association,"	130
144. An Act to incorporate the Conestoga and Beaver Valley turnpike road company,	131
145. An Act relative to David S. Umbenhour, of Huntingdon county, collector of certain militia fines,	132
146. An Act declaring the West Branch of Tionesta creek, in Warren county, and Big run, in Jefferson county, public highways,	133
147. A further supplement to an act passed the ninth day of April, one thousand eight hundred and fifty-two, authorizing the laying out of a state road, leading from the borough of Tunkhannock, in the county of Wyoming, to Towanda, in the county of Bradford,	133
148. An Act to extend the charter of the Bank of Pennsylvania,	134
149. An Act relating to the real estate of Sarah H. Butler, and Mary Ann Laning, deceased,	135
150. A supplement to an act to lay out a state road in Dauphin and Lebanon counties,	140
151. Supplement to an act to authorize the construction of a plank road from the Lewistown and Tuscarora bridge to the Pennsylvania railroad, passed the twenty-second day of March, Anno Domini, one thousand eight hundred and fifty,	141
152. An Act to authorize the commissioners of Schuylkill county to purchase a certain lot of ground,	141
153. An Act to authorize the Philadelphia, Wilmington and Baltimore railroad company, to declare and pay dividends of stock in certain cases,	142
154. A supplement to an act, entitled "An Act to incorporate the American Sunday School Union," passed the fifteenth day of April, one thousand eight hundred and forty-five,	143
155. An Act relative to the Philadelphia and Sunbury railroad company,	144
156. An Act relative to lighting the city of Erie with gas,	145
157. An Act to incorporate the Lehigh and Delaware plank road or turnpike company,	145
158. An Act for the relief of William P. Cooper,	147
159. An Act in relation to hawkers and pedlers in Clarion county,	148
160. An Act for the preservation of game in York, Montgomery and Lancaster counties,	149
161. An Act to incorporate the Mechanics' Bank of Pittsburg,	149
162. An Act to incorporate the City Bank of Philadelphia,	150

NO.	PAGE
163. An Act for the partial restoration of the capital of the Bank of Penn Township, in the county of Philadelphia.	151
164. An Act to authorize the re-location of certain streets in the city district of Pittsburg,	152
165. An Act authorizing the school directors of Morris district, Huntingdon county, to pay over school taxes to the directors of Franklin district, in said county, et cetera,	152
166. An Act giving a bounty on fox scalps in Butler county,	153
167. An Act relative to roads in Crawford county,	154
168. An Act supplementary to an act regulating election districts, passed the twenty second day of January, one thousand eight hundred and forty-four,	155
169. An Act supplementary to an act of assembly, passed eighteenth day of April, one thousand eight hundred and fifty-three, entitled "An Act to incorporate the Kittanning bridge company; to protect orchards and gardens in certain counties, and authorizing the Swatara railroad company to construct a branch railroad,"	155
170. An Act to incorporate the Anthracite Bank of Tamaqua,	156
171. A further supplement to the act, entitled "An Act to authorize the governor to incorporate the West Chester and Philadelphia railroad company,"	157
172. A further supplement to the act relating to county rates and levies, and township rates and levies, and to the act relating to counties and townships, and county and township officers,	160
173. An Act to authorize the corporation of the city of Philadelphia, to make temporary loans,	161
174. An Act relating to the courts of Philadelphia,	162
175. A further supplement to an act to incorporate the Huntingdon and Broad Top Mountain railroad and coal company, approved May sixth, one thousand eight hundred and fifty-two,	162
176. An Act to prevent certain hawking and peddling in Juniata county,	164
177. A supplement to the act incorporating the Columbia and Chestnut Hill turnpike road company,	165
178. An Act authorizing the commissioners of Jefferson county to borrow a sum of money not exceeding five thousand dollars, to pay on contract for building jail,	165
179. An Act to provide for the construction of a dam and in-let lock at the mouth of Mill creek, in the county of Luzerne,	166
180. An Act for the sale and purchase of the Falls of Schuylkill bridge, in the city of Philadelphia,	167
181. An Act to incorporate the Hartsville and Centreville turnpike road company,	168
182. An Act to punish trespass in certain cases in certain counties,	169
183. An Act to incorporate the Bridesburg plank road company,	169

NO.	PAGE
184. An Act supplementary to an act, entitled "An Act changing the time of holding the courts in the county of Susquehanna,"	171
185. An Act relating to the directors of the poor of Delaware county,	171
186. An Act to confirm and legalize the election of trustees of the Second Presbyterian congregation of the city of Lancaster,	172
187. An Act supplementary to an act approved March fourth, one thousand eight hundred and fifty, exempting the Olome insitute female seminary, in the borough of Canonsburg, from taxation,	173
188. An Act relative to hawkers and pedlers in the county of Venango,	174
189. An Act to authorize the North Pennsylvania coal company to pay interest to stockholders,	174
190. An Act relative to a bridge at the west end of Brookville, Jefferson county,	175
191. An Act regulating the appointment of steward of the poor house in Montgomery county,	176
192. A supplement to an act, entitled "An Act to incorporate the Mannheim, Petersburg and Lancaster turnpike or plank road company,"	176
193. An Act to ascertain and fix the dividing line between the counties of Berks and Schuylkill, and to legalize in part the report of commissioners appointed to ascertain and fix the dividing line between the counties of Berks and Schuylkill, under the provisions of an act of assembly approved on the fifteenth day of April, Anno Domini one thousand eight hundred and fifty, and the supplement thereto, approved April twenty-fifth, Anno Domini one thousand eight hundred and fifty-four,	177
194. A supplement to an act to re-incorporate the New Brighton water company and enlarge its powers, approved the eight day of April, Anno Domini, one thousand eight hundred and forty-eight,	179
195. An Act to extend the charter of the Farmers' Bank of Reading,	180
196. A supplement to an act to incorporate the Lumberville Delaware bridge company, passed April seventh, Anno Domini one thousand eight hundred and thirty-five,	181
197. An Act to authorize the governor to incorporate a company to erect a bridge across the Lehigh river, near Hockendauqua, in Lehigh county,	182
198. An Act to alier Water street, in the borough of Pottstown, Montgomery county,	187
199. An Act to enable the Sharon iron company, of Mercer county, to subscribe to the stock of the Pittsburg and Erie railroad company,	188
200. A supplement to an act to incorporate the Pattonsville and Woodberry turnpike road company, approved the eighteenth day of March, Anno Domini one thousand eight hundred and fifty-two,	188
201. An Act extending the provisions of an act to consolidate and amend the road laws of the counties of Beaver, Butler and Lawrence, to the county of Bedford,	189

NO.	PAGE
202. Supplement to the act incorporating the Columbia gas company,	190
203. An Act to provide a place for holding elections in the township of Cambridge, Crawford county,	190
204. A supplement to the act, entitled "An Act to incorporate the Lackawanna and Bloomsburg railroad company," approved the fifth day of April, Anno Domini, one thousand eight hundred and fifty-two,	191
205. A supplement to an act, entitled "An Act to authorize the appointment of an auctioneer in Clinton county, and in the borough of Meadville, Crawford county," passed the thirtieth March, one thousand eight hundred and fifty-four,	192
206. An Act repealing a supplement to an act incorporating the Western insurance company of the city of Pittsburg, passed April sixth, one thousand eight hundred and fifty,	193
207. An Act to authorize the Sunbury canal and water power company to erect a boom in the West Branch of the Susquehanna river,	194
208. An Act to enable the court to decree a certain trust terminated,	195
209. An Act to remove certain disabilities of P. Filbert, in consequence of his removal to Virginia,	196
210. An Act authorizing the opening of a street in the city of Pittsburg,	196
211. An Act relative to the pay of the county commissioners of the counties of Bradford, Centre, Lawrence and Beaver,	198
212. An Act to authorize the president and managers of the Jarrettown and Horsham turnpike road company to borrow money,	198
213. An Act to enable the executors of the estate of John Eckel, deceased, to sell certain real estate in Schuylkill county,	199
214. An Act to vest the interest of the commonwealth in the estate of Margaret Maybury, deceased, in her illegitimate daughter, Mary Frame,	200
215. A supplement to an act to incorporate the Feasterville and Bridgetown turnpike company, approved the seventeenth day of April, one thousand eight hundred and forty-four,	201
216. An Act for the erection of a house of employment and support of the poor in the county of Indiana,	202
217. An Act for the relief of John G. Lowry, late treasurer of Centre county,	207
218. An Act to extend the provisions contained in the fourth, fifth, sixth, seventh and eighth sections of an act, entitled "A supplement to an act, entitled 'An Act to prevent waste in certain cases within this commonwealth; relative to land and building associations, et cetera,' approved the twenty-second day of April, one thousand eight hundred and fifty," to certain counties,	208
219. A supplement to an act, entitled "An Act to enable the governor to incorporate a company for making an artificial road, by the best and nearest route from the borough of York, to the Maryland line, at the place the present York road passes the same, or as near thereto as the commissioners shall find expedient,"	209

NO.	PAGE
220. Supplement to an act to enable the governor to incorporate a company to make an artificial road, by the best and nearest route from the north end of George street, in the borough of York, to the canal ferry, on the river Susquehanna, and from thence up the said river to the head of the Conewago falls,	219
221. An Act relative to the bridge over Big Mahoning creek, in Jefferson county,	210
222. An Act to authorize the York Furnace bridge company to borrow money,	211
223. An Act for the relief of Catharine Buechle, widow of an old soldier,	212
224. An Act relative to militia fines in certain counties,	212
225. An Act to legitimate Grafton Fox,	213
226. Supplement to an act relating to the commencement of actions, approved the thirteenth of June, one thousand eight hundred and thirty-six,	213
227. A further supplement to the act, entitled "An Act relating to orphans' courts," passed the twenty-ninth day of March, one thousand eight hundred and thirty-two,	214
228. Supplement to the act approved the twenty-sixth day of March, one thousand eight hundred and fifty-three, giving and granting unto the executors of Dr. Jacob Wagenseller, deceased, certain powers,	214
229. An Act to appoint commissioners to lay out a road in Juniata and Perry counties,	215
230. An Act to authorize the West Pittston coal company to pay interest to stockholders, and to subscribe to the stock of the Lackawanna and Bloomsburg railroad company,	216
231. A supplement to an act to enable joint tenants and tenants in common, and adjoining owners of mineral lands in this commonwealth, to manage and develop the same,	217
232. An Act regulating bridge companies,	217
233. An Act relative to the erection of bridges over canals and railroads,	220
234. A further supplement to an act authorizing the governor to incorporate the Pottsville water company, approved the eleventh day of April, Anno Domini one thousand eight hundred and thirty-four,	220
235. A further supplement to an act providing for the publication of the Colonial Records, and other original papers in the office of the secretary of the commonwealth, approved February fifteenth, one thousand eight hundred and fifty-one,	221
236. An Act extending the provisions of an act to amend the road laws, and change the manner of assessing damages in the opening of public and private roads in the county of Franklin, to the counties of Fulton and Cumberland,	223
237. An Act to incorporate the trustees of the Constitutional Presbyterian publication house,	223

CONTENTS.

xv

NO.	PAGE
238. An Act authorizing the incorporation of the Consolidation Bank of Philadelphia,	224
239. An Act to restrain the sale of intoxicating liquors,	225
240. An Act supplemental to an act to incorporate the Monongahela bridge company, at Monongahela city,	228
241. An Act authorizing the sale of the Allegheny bridge, in Warren county,	229
242. An Act for the purpose of enabling Benjamin Hill, of Westmoreland county, to adopt certain persons as his own children,	230
243. An Act to incorporate the Lampeter and Bridgeport turnpike road company,	230
244. An Act relating to auctioneers in the city of Erie,	231
245. An Act for the relief of John Whiteman, for damages sustained his property by the construction of the Philadelphia and Columbia railroad,	233
246. An Act for the preservation of insectivorous birds, and for the protection of fruit and fruit trees in certain counties,	234
247. An Act to authorize the re-construction of a bridge across the Clarion river, at the mouth of Mill creek,	235
248. An Act authorizing the laying out of a state road from Meadville, in Crawford county, to New Wilmington, in Lawrence county,	236
249. An Act relating to the old Goshenhoppen school district, in Montgomery county,	238
250. A supplement to an act, entitled "An Act relating to the lien of mechanics and others upon buildings," passed the sixteenth day of June, Anno Domini one thousand eight hundred and thirty-six,	238
251. A supplement to the act relating to the termination of the North Branch extension of the Pennsylvania canal,	239
252. An Act to consolidate and amend the road laws of the counties of Tioga, Potter, M'Kean and Elk,	240
253. An Act authorizing the Temperanceville and Noblestown plank road company to borrow money,	242
254. Supplement to an act, entitled "An Act to provide for the erection of a house for the employment and support of the poor in the county of Allegheny,"	243
255. A supplement to the act, entitled "An Act directing the judges of the court of common pleas in Philadelphia county, to appoint an examiner in the case of Elizabeth Cameron, a lunatic," approved March seventh, Anno Domini one thousand eight hundred and fifty-four,	244
256. A supplement to the act graduating the duties upon wholesale dealers and retailers of merchandize, and prescribing the mode of issuing licenses and collecting said duties, approved the seventh day of April, one thousand eight hundred and thirty,	244

NO.	PAGE
257. A supplement to an act to incorporate the Philadelphia and West Chester turnpike road company, approved the twenty-fifth day of March, one thousand eight hundred and forty-eight,	245
258. An Act relative to the maintenance of the House of Refuge,	245
259. A supplement to an act, approved the eighth day of May, one thousand eight hundred and fifty-four, entitled "An Act to incorporate Greenwood colony,"	246
260. An Act for the relief of Elizabeth Pell, the widow of an old soldier,	247
261. An Act to repeal part of an act to incorporate the borough of Mifflinburg, in Union county,	247
262. An Act to incorporate the Tammenend turnpike company,	248
263. An Act for the relief of Isabella Innis, widow of an old soldier,	249
264. An Act declaring Potato creek, in the county of M'Kean, a public highway,	250
265. A supplement to an act, entitled "An Act authorizing the governor to incorporate the Bridgetown and Newtown turnpike or plank road company," approved the fifteenth day of April, A. D. one thousand eight hundred and fifty-one,	250
266. An Act authorizing the auditor general and state treasurer to examine the claim of Henry Wagner, for damages by the laying of gas pipes through his land to the State Lunatic asylum,	251
267. An Act to provide for an equitable division of a certain amount paid annually by the Delaware coal company, towards the support of two schools, according to the provisions of the resolution of the fifth day of April, one thousand eight hundred and forty-two,	251
268. A further supplement to the act incorporating the Lehigh Valley railroad company,	253
269. A further supplement to an act erecting the county of Elk,	554
270. An Act relative to aldermen in certain wards of the city of Philadelphia,	254
271. A further supplement to an act, entitled "An Act to incorporate the Lorberry Creek railroad company," approved the thirtieth day of March, Anno Domini, one thousand eight hundred and thirty-one,	255
272. An Act to authorize the appointment of a notary public in Waterford, Erie county,	257
273. An Act to authorize the taking of a census of the city of Philadelphia in one thousand eight hundred and fifty-five,	257
274. A further supplement to an act regulating banks, approved the sixteenth day of April, one thousand eight hundred and fifty,	258
275. An Act relative to one square of Washington street, in the city of Philadelphia,	259
276. An Act relative to the overseers of the poor of the borough of Meadville, in Crawford county,	259
277. An Act in relation to the papers, et cetera, remaining in the several courts of Venango county,	260

CONTENTS.

xvii

NO.	PAGE
278. An Act to establish a public ferry across the Delaware river, at or near Aten's ferry, in Northampton county,	261
279. A supplement to an act to incorporate the Chartiers Valley railroad company, passed February seven, one thousand eight hundred and fifty-three,	262
280. An Act repealing the supplement to an act passed March thirteenth, one thousand eight hundred and fifteen, authorizing sales of unseated lands, passed the nineteenth day of April, one thousand eight hundred and fifty-four, extending to Sullivan county,	263
281. A supplement to the act consolidating the city of Philadelphia,	264
282. An Act supplemental to the act, entitled "An Act relative to the Enon Valley coal company," passed the eighth February, one thousand eight hundred and fifty-five,	271
283. An Act to repeal the eighth section of an act passed the twentieth day of April, one thousand eight hundred and fifty-three, relative to a state road in Clarion and Forest counties,	271
284. A supplement to an act, entitled "An Act for the relief of the Presbyterian church and congregation of Wellsboro',"	272
285. A supplement to the act incorporating the Nanticoke and Hughesville turnpike company,	273
286. Supplement to an act to incorporate the Odd Fellows' hall association of York county,	273
287. An Act authorizing the laying out and opening a state road from the west end of the Emlinton bridge, in Venango county, to the borough of Mercer, in Mercer county,	274
288. Supplement to an act to incorporate the village of Shrewsbury, in the county of York, into a borough,	275
289. An Act to authorize the borough of Norristown to borrow money,	278
290. An Act for the relief of Elsy Gold, widow of an old soldier,	278
291. A supplement to an act, entitled "An Act to prevent fishing in Big Chiquesalunga creek, in Lancaster county," approved the fourth day of April, one thousand eight hundred and fifty-four,	279
292. An Act for the relief of Jane Jamison, widow of an old soldier,	280
293. A further supplement to an act incorporating the Kensington gas company, Philadelphia county,	280
294. An Act relating to George street, in the borough of Norristown,	281
295. An Act to repeal an act, entitled "An Act to re-annex certain farms to Clarksville borough, in Mercer county,"	282
296. An Act to extend the time for commencing and completing the Wysauking and Wappasening plank road,	282
297. An Act establishing fees for commitments to houses of refuge,	283
298. An Act for the defining the boundary line between the city of Philadelphia and Montgomery county.	283
299. An Act to legitimate Isadore Bowman,	285

NO.	PAGE
300. An Act authorizing the North Lebanon railroad company to borrow money,	285
301. A further supplement to an act to incorporate the Thomas iron company, approved April fourth, Anno Domini one thousand eight hundred and fifty-four,	286
302. A supplement to an act to incorporate the Valley and Mountain turnpike and plank road company, approved the fourteenth day of April, Anno Domini one thousand eight hundred and fifty-one,	286
303. An Act to incorporate the Edgehill and Abington Valley turnpike company,	288
304. An Act to vest in Nancy Christy the right of this Commonwealth to the estate of Prudence Christy, late of Dunbar township, Fayette county, deceased,	289
305. A supplement to the act to incorporate the Danville gas company, in the county of Montour,	290
306. An Act to appoint commissioners to run and mark the county lines between Northampton, Monroe and Carbon,	291
307. A supplement to an act, entitled "An Act to incorporate the president and managers of the Silver Lake turnpike road company," et cetera, approved the twenty-fifth day of March, one thousand eight hundred and fifty,	292
308. An Act regulating the measurement of paving stone in the city of Philadelphia, and the counties of Northampton and Allegheny,	293
309. An Act repealing the thirteenth section of an act relative to public roads in Mifflin county, and for other purposes,	293
310. An Act to extend the borough of Athens, in the county of Bradford,	294
311. An Act to provide for the erection of a house for the employment and support of the poor for the county of Carbon,	294
312. An Act supplementary to an act to incorporate the Limerick and Colebrookdale turnpike company, passed the fifteenth of March, one thousand eight hundred and forty seven, and the supplement thereto,	300
313. An Act relative to the borough of Shirleysburg,	301
314. A supplement to an act, entitled "An Act to consolidate the Lackawanna and Western and Delaware and Cobb's Gap railroad company," passed the eleventh day of March, Anno Domini one thousand eight hundred and fifty-three,	302
315. A supplement to an act, entitled "An Act relating to the lien of mechanics and others, and to sales to enforce the payment of liens,"	303
316. A further supplement to an act to amend and consolidate with its supplements, an act for the recovery of debts and demands not exceeding one hundred dollars before a justice of the peace, and for the election of constables, and for other purposes, approved the twentieth of March, one thousand eight hundred and ten,	304
317. An Act to change the time for holding the terms of the supreme court,	305

CONTENTS.

xix

NO.	PAGE
318. An Act to legitimate John S. Kelly,	306
319. An Act to increase the pay of commissioners, and in relation to certain duties of township auditors in the counties of Delaware, Blair and Lancaster,	306
320. An Act relative to the survey of streets and alleys in the borough of York,	307
321. A supplement to the act providing for the election of district attorneys,	308
322. A supplement to the act for the prevention of frauds and perjuries, passed twenty-first of March, one thousand seven hundred and seventy-two,	308
323. An Act relating to damages for injuries producing death,	309
324. An Act to authorize and empower the court of common pleas of Mercer county to legitimate certain persons, who were emancipated by the last will and testament of Dr. C. D. Everett, late of Albemarle county, Virginia,	310
325. An Act relative to the approving of bonds given by applicants for tavern licenses in the city of Philadelphia,	311
326. An Act to extend the width of Chatham street, and open part of Tioga street, in the city of Philadelphia,	312
327. An Act relating to inquisitions on real estate,	313
328. An Act relative to state roads and bridges in the counties of York, Cumberland, Fayette and Westmoreland,	313
329. A supplement to an act, entitled "An Act relative to certain courts in the city and county of Philadelphia,"	314
330. An Act relating to fines, forfeitures and penalties in the city of Philadelphia and the county of Allegheny,	315
331. An Act to prevent animals running at large in Warren and Crawford counties,	316
332. An Act to repeal so much of a law passed eighteenth February, one thousand eight hundred and forty one, as relates to a road from Roxbury to Concord, in Franklin county,	316
333. An Act to incorporate the Fitzwatertown and Mooreland turnpike road company,	317
334. An Act extending the provisions of the act of the twenty-second April, one thousand eight hundred and fifty, and its supplements, relating to mutual savings fund and building associations, to Lycoming and Clinton counties,	318
335. A further supplement to an act to incorporate the president and managers of the Belmont avenue and plank road company, approved the eighth day of April, one thousand eight hundred and fifty-three,	319
336. A supplement to the act to incorporate the town of West Chester, in the county of Chester, into a borough,	319

NO.	PAGE
337. A supplement to the act, entitled "An Act to incorporate the Carbon Run improvement company,"	320
338. An Act extending the powers of the directors of the poor and house of employment of the county of Lancaster,	321
339. A supplement to an act to extend the powers of certain officers in Allegheny county, approved the twenty-sixth day of February, one thousand eight hundred and fifty-five, and for the better regulation of the Sabbath in said county,	321
340. A further supplement to an act to authorize the laying out of a state road from the Allegheny and Perrysville plank road, to the village of Rochester, in Beaver county, passed eighteenth of March, one thousand eight hundred and fifty one,	323
341. An Act relative to the real estate of the Mount Zion church, and the board of school directors, in Monroe township, Cumberland county,	323
342. An Act supplementary to an act to incorporate the Sagertown academy,	324
343. A supplement to an act incorporating the Wellsboro' cemetery company, approved the seventh day of April, one thousand eight hundred and forty-nine,	325
344. A supplement to an act, entitled "An Act to incorporate the Pennsylvania steam towing and transportation company," passed the first day of July, Anno Domini one thousand eight hundred and fifty-four,	325
345. An Act relating to the finances of Berks county,	326
346. An Act to incorporate the Wistar Medical college,	327
347. An Act relating to corporations and to estates held for corporate, religious and charitable uses,	328
348. An Act to prevent fishing with seines or nets in the Conococheague creek and Falling spring, in Franklin county, and Jacob's creek, in the counties of Fayette and Westmoreland,	333
349. An Act for the relief of F. C. Ross,	334
350. An Act to legitimate Elizabeth Shippen Elder,	335
351. An Act to more effectually prevent the destruction of insectivorous birds, and for the better protection and preservation of game in the counties of Berks and Allegheny,	335
352. A supplement to the act incorporating the Belmont manufacturing company,	337
353. An Act to incorporate the Howard fire and marine insurance company,	337
354. An Act to appoint commissioners to lay out a road in Juniata and Perry counties,	341
355. An Act for the relief of Joseph Brady, a soldier of the Indian war,	342
356. An Act relative to the payment of surveyors in laying out roads in this commonwealth,	342

NO.	PAGE
357. An Act to run and define the line between parts of Huntingdon and Mifflin counties,	343
358. An Act to confirm the title of the German Reformed and Evangelical Lutheran churches of Turbutville, in the county of Northumberland, to a lot of ground in Lewis township, in said county,	344
359. A supplement to the act incorporating the Shafferstown academy,	345
360. A supplement to the act incorporating the Union mutual insurance company of Philadelphia,	345
361. An Act authorizing the president and managers of the Shrewsbury and Hopewell plank road company to borrow money,	346
362. An Act relative to certain election districts.	346
363. An Act supplementary to the charter of the borough of York, York county,	348
364. A supplement to an act to authorize the Philadelphia, Wilmington and Baltimore railroad company to declare and pay dividends of stock in certain cases, approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-five,	349
365. An Act to authorize the laying out a state road leading from Rimersburg, in Clarion county, to the mouth of Mahoning creek, in Armstrong county,	349
366. A supplement to an act, entitled "An Act to prevent the destruction of trout," to extend to Mifflin county,	351
367. An Act to prevent cattle, horses and sheep from running at large in the county of Chester,	351
368. An Act relating to the boundaries of the borough of Pittston, Luzerne county,	352
369. An Act for the relief of Eleanor Jameson,	353
370. An Act for the relief of Catharine Rees, the widow of Philip Rees, a soldier in the Revolutionary war,	353
371. An Act to lay out a state road from Rochester, Beaver county, to the Perrysville and Zelienople plank road, in Butler county,	354
372. A supplement to the act, entitled "An Act to incorporate the Allegheny and New Brighton plank road company," approved twenty-fifth of May, Anno Domini one thousand eight hundred and fifty-four,	355
373. A supplement to the act incorporating the Ephrata Monument association of the county of Lancaster,	356
374. An Act authorizing the supervisors of Derry township, Westmoreland county, to lay out and construct a certain road,	357
375. An Act to appoint commissioners to run and mark the boundary line between the counties of M'Kean and Elk,	357
376. An Act to authorize and establish a Teachers' institute in the county of Chester,	359

NO.	PAGE
377. Supplement to an act, entitled "An Act authorizing the governor to incorporate a company for making an artificial road from the north end of the bridge over Clark's creek, on the road leading from Harrisburg to Sunbury, across Peter's mountain, to the south end of the bridge over Powell's creek on the said road, in the county of Dauphin,	360
378. A further supplement to the act incorporating the Upper Lehigh navigation company, passed March fourteenth, one thousand eight hundred and forty,	360
379. A further supplement to the act erecting the town of Birmingham, in the county of Allegheny, into a borough,	361
380. An Act to improve the turnpike road from Indiana to Kittanning,	363
381. An Act to prohibit hawking and peddling certain articles in the county of Venango, without license,	364
382. An Act to establish the boundary line between the counties of Union and Mifflin,	364
383. An Act extending the right of trial by jury to certain cases,	365
384. A supplement the act, entitled "An Act to incorporate the Larry's Creek plank road company,"	366
385. A supplement to the act, entitled "An Act to incorporate the Strasburg railroad company," approved the eleventh day of February, Anno Domini one thousand eight hundred and fifty-one,	367
386. An Act to extend the charter of the Bank of North America,	367
387. An Act to amend certain defects of the law for the more just and safe transmission, and secure enjoyment of real and personal estate,	368
388. A supplement to the act to erect part of Norwegian township, in Schuylkill county, into a new township, and for other purposes, approved the eighth day of March, one thousand eight hundred and forty-seven,	370
389. An act to provide for the election of an additional supervisor in Granville township, Mifflin county,	371
390. An Act to erect the village of Cherry Tree into a borough,	372
391. An Act relative to criminal courts in Schuylkill county,	374
392. An Act authorizing the select and common councils of the city of Reading to purchase for the use of the said city, the works of the Reading gas company,	375
393. An Act to enable David M. Craig to adopt Phebe Minesinger as his child,	376
394. An Act supplementary to the act, entitled "A supplement to an act to provide for the erection of a house for the employment and support of the poor in the county of Huntingdon," approved February seventh, one thousand eight hundred and fifty-one,	377
395. An Act declaring the Brokenstraw creek, in Warren county, a public highway, from the Second Fork to the New York state line,	377

NO.	PAGE
396. A supplement to an act to incorporate the White Deer bridge company,	378
397. An Act for the relief of Hannah Moshier and Mary Warren, widows of old soldiers,	379
398. A further supplement to the act incorporating the Pennsylvania coal company,	379
399. A supplement to the laws for the relief and support of the poor in the counties of Washington, Greene and Fayette, approved April sixth, one thousand eight hundred and thirty,	380
400. An Act relative to the mode of obtaining damages for the altering or vacating of roads in Bradford county,	381
401. An Act to confirm certain land titles,	381
402. An Act supplementary to an act passed the eighth day of April, Anno Domini one thousand eight hundred and fifty-three, relating to a change of venue in Potter county,	382
403. A supplement to an act, entitled "An Act relative to suits by sheriffs, prothonotaries and other officers of Westmoreland, Lycoming and Washington counties, approved May sixth, one thousand eight hundred and fifty-four,	383
404. An Act authorizing the governor to appoint an additional notary public, in the county of Luzerne,	383
405. An Act to regulate the public printing in the north part of Allegheny county,	384
406. An Act to appoint Hugh M'Kee, in place of James Hilands, to review parts of the Franklin road,	384
407. An Act for the relief of Magdalena Hartman, widow of a soldier of the Revolutionary war,	385
408. A supplement to the act, entitled "An Act relating to assignees for the benefit of creditors and other trustees," approved the fourteenth day of June, one thousand eight hundred and thirty-six,	386
409. An Act to authorize the commissioners of Perry county to sell the Bloomfield academy,	386
410. An Act authorizing the canal commissioners to examine the claim of Woodbury township, Blair county, for the payment of certain moneys paid for the re-construction of a canal bridge in the said township,	387
411. An Act for the relief of Charles M. Burns and others,	388
412. An Act to confirm title in Edward Patterson to certain real estate,	389
413. An Act for the relief of Christina Long, a widow of a soldier of the Revolutionary war,	390
414. An Act authorizing the president, managers and company of the Pittsburg and Coal Hill turnpike road company to borrow money.	391
415. An Act supplementary to the health laws of the city of Philadelphia,	391

NO.	PAGE
416. An Act to provide for the erection of a house for the employment and support of the poor of the county of Centre,	392
417. An Act for the relief of Margaret Watson, widow of a soldier of the Indian war,	397
418. An Act for the relief of Barbara Siverling, widow of a soldier of the Indian and late war with Great Britain,	398
419. A supplement to the act incorporating the Lackawanna iron and coal company, approved fifth April, one thousand eight hundred and fifty-three,	398
420. A further supplement to an act to incorporate the Coal Run improvement and railroad company, approved the eleventh day of March, A. D., one thousand eight hundred and fifty-one,	399
421. An Act to incorporate the Clarion and Red Bank plank road company,	400
422. A supplement to an act authorizing certain persons to lease a tract of land situated in the township of Falls, in the county of Bucks, and to appropriate the rents thereof for the education of poor children, passed March twenty-fourth, one thousand eight hundred and seven,	401
423. Supplement to the act, entitled "An Act to incorporate the Philadelphia and Trenton railroad company," approved twenty-third day of February, one thousand eight hundred and thirty-two,	402
424. An Act to vacate a part of Long lane, in Reserve township, Allegheny county,	403
425. A supplement to an act for the relief of the estate of Henry Frick, deceased, et cetera, approved the fifth day of April, one thousand eight hundred and forty-nine,	403
426. An Act to authorize the borough of Columbus, Warren county, to collect an additional tax,	404
427. An Act authorizing the laying out of a state road from Bloomsburg, Columbia county, to Laporte, in Sullivan county,	404
428. An Act relative to Benedict Stevens, collector of taxes of Springfield township, Huntingdon county,	406
429. A supplement to the act to incorporate the Clinton County coal company,	406
430. An Act to incorporate the Sterling plank road or turnpike company,	407
431. An Act authorizing the Pittsburg and Coal Hill turnpike road company to borrow money,	408
432. An Act relative to supplying the borough of Altoona with water,	409
433. An Act to incorporate the Waupauseening and Owego plank road or turnpike road company,	411
434. A further supplement to an act to incorporate the Dauphin and Susquehanna coal company, approved the fifth day of April, one thousand eight hundred and twenty-six,	412

NO.	PAGE
435. A supplement to the act incorporating the Pennsylvania railroad company,	412
436. An Act supplementary to an act to incorporate the Independent mutual insurance company, approved the eighteenth day of April, Anno Domini one thousand eight hundred and fifty-three,	413
437. An Act authorizing the overseers of the poor of the township of Lycoming, in the county of Lycoming, to recover certain moneys,	414
438. A supplement to an act relating to assignees for the benefit of creditors and other trustees,	415
439. An Act supplementary to an act incorporating the York and Cone-wago canal turnpike road company,	416
440. An Act supplementary to an act, entitled "An Act to incorporate the Byberry and Poquesen turnpike road company, and relative to the publication of the final report on the geological survey of the state," approved April fourteenth, one thousand eight hundred and fifty-one,	417
441. An Act to widen Jarvis lane in the city of Philadelphia,	418
442. An Act to authorize the draining of Birch pond in Bristol township, Bucks county,	419
443. A supplement to an act to incorporate the Halter Creek turnpike road company, approved the fifth day of May, one thousand eight hundred and fifty-four,	420
444. An Act to prevent and punish wanton cruelty to animals in the city of Philadelphia,	421
445. An Act relative to taxes in the borough of Smethport, county of M'Kean,	421
446. A supplement to an act, entitled "An Act relating to roads, highways and bridges," approved June thirteenth, one thousand eight hundred and thirty-six,	422
447. A further supplement to an act to authorize the governor to incorporate the West Chester and Philadelphia railroad company,	423
448. An Act relating to corporations,	423
449. An Act to exempt from taxation the Union school and Children's home, and Northern home for friendless children, in Philadelphia,	424
450. A further supplement to the several acts relating to the tax upon collateral inheritances,	425
451. An Act for the relief of Margaret Yeager, widow of George Yeager, a soldier of the Revolutionary war,	426
452. An Act to authorize the managers of the house of refuge for western Pennsylvania to borrow money,	427
453. An Act relative to the rights of the owners of ground taken for the Delaware and Schuylkill canal, city of Philadelphia,	427
454. An Act to revive and continue in force the law graduating lands upon which purchase money is due the commonwealth, passed April the tenth, one thousand eight hundred and thirty-five,	428

NO.	PAGE
455. A further supplement to the act incorporating the Sunbury and Erie railroad company,	429
456. An Act relating to certain duties and rights of husband and wife and parents and children,	430
457. A further supplement to an act, entitled "An Act to incorporate the Pennsylvania savings fund of Philadelphia," approved April, twelve, one thousand eight hundred and fifty-one,	432
458. An Act relative to the supervisors and school directors of Barnett township, Forest county,	433
459. An Act for the relief of William Able,	434
460. An Act to authorize the administrators of R. P. Wallace, and executor of Susan Gemmill, to join in making a deed to the heirs of W. Laird,	434
461. A further supplement to the act incorporating the Donaldson improvement and railroad company, formerly the Eagle iron company, approved on the fifth day of May, Anno Domini one thousand eight hundred and forty-one,	435
462. A further supplement to an act to establish a ferry over the river Susquehanna, at or near Ulster, in Bradford county,	436
463. An Act supplementary to an act, entitled "An Act to incorporate the Independent mutual insurance company," approved the eighteenth day of April, Anno Domini one thousand eight hundred and fifty-three,	437
464. An Act relating to supervisors and the contractors to repair public roads in certain townships in Schuylkill county,	437
465. An Act to confirm the title to a certain lot in Sewickleyville, Allegheny county,	438
466. An Act to enable John E. Carver and Mary Crim, trustees, to convey the trust property to Sarah Ann Parsons the cestui que trust, and to abolish said trust,	439
467. An Act relative to the appointment of tax collectors in Montgomery county,	440
468. An Act to validate the action and extend the privileges of the Towanda and Burlington plank road company,	440
469. An Act to allow the cashier of the Warren County Bank to hold the office of prothonotary,	441
470. A supplement to an act for the defining the boundary line between the city of Philadelphia and Montgomery county, approved the twenty-first day of April, one thousand eight hundred and fifty-five,	442
471. A further supplement to an act to create permanently the office of state printer,	443
472. An Act relating to the borough of Wilkesbarre,	443
473. An Act supplementary to the act making an annual appropriation to the Philadelphia society for promoting agriculture, approved the second day of April, one thousand eight hundred and forty-nine,	445

NO.	PAGE
474. An Act changing the time of holding the courts of Lycoming county,	445
475. A further supplement to an act to authorize the governor to incorporate a company to erect a bridge over the Allegheny river, at or near Sharpsburg, Allegheny county, approved the thirteenth day of March, one thousand eight hundred and thirty-eight,	446
476. An Act to release the late prothonotary of Fulton county from the payment of certain taxes and fees on commissions and bonds,	447
477. An Act for the relief of Elizabeth Ward, widow of an old soldier,	447
478. A supplement to an act to incorporate the West Ward water company of Easton,	448
479. An Act relating to canal and navigation companies,	450
480. A further supplement to the act incorporating the Marshall savings association of Philadelphia,	451
481. An Act to incorporate the Allegheny plank road and turnpike company,	452
482. An Act relating to elections in the county of Montgomery,	453
483. An Act to authorize the cleaning out of a part of the channel of the Susquehanna river, in Dauphin county,	453
484. An Act relative to the Greenwich land and building association,	454
485. An Act to extend the charter of the Bank of Commerce,	455
486. An Act authorizing the opening of Pleasant street, from Charles street to Ninth street, and Tioga street, in the city of Philadelphia,	455
487. An Act relating to the Pittston coal company,	456
488. An Act to extend the charter of the Tradesmen's Bank of Philadelphia,	457
489. A further supplement to an act, entitled "An Act to erect Danville into a borough,"	457
490. An Act exempting coal and lumber from the tonnage tax,	459
491. A supplement to the act, entitled "An Act authorizing the governor to incorporate the Pittston water company,"	459
492. An Act relative to the property of Rebecca Dunwidde, deceased,	461
493. An Act to authorize the governor to issue letters patent in certain cases,	462
494. An Act to protect burial grounds,	462
495. An Act to prohibit the sale of unwholesome meats,	463
496. An Act to provide for the regulation and inspection of buildings in the city of Philadelphia, and for the better preservation of life and property,	464
497. An Act repealing an act approved March first, one thousand eight hundred and fifty-four, vacating a certain part of a street and alley in the borough of Wrightsville, county of York,	469

NO.	PAGE
498. An Act to repeal a part of the proviso to the fourteenth section of the supplement to an act, entitled "An Act to revise the militia system, and provide for the training of such only as shall be uniformed," approved thirtieth day of April, Anno Domini one thousand eight hundred and fifty-three,	470
499. An Act authorizing the school directors of New Castle, Lawrence county, to borrow money,	470
500. A further supplement to an act, entitled "An Act to erect the village of Honesdale, in the county of Wayne, into a borough,"	471
501. A supplement to an act, passed the twenty-first day of April, Anno Domini one thousand eight hundred and forty-nine, relative to the hours of labor in manufacturing establishments,	472
502. An Act for the extension of Prince street, and opening of College avenue, in the city of Lancaster, and relative to a certain street in the borough of Pottsville,	473
503. An Act to annul the marriage contract between John G. Rich and Mary, his wife,	475
504. An Act relative to the proof of title of John Keating and company,	475
505. An Act to provide for the destruction of Canada thistles and other noxious weeds, and the maintaining of ditches on the banks of railroads in the county of Erie,	476
506. A supplement to an act to authorize the courts to alter charters in certain cases, passed May the eighth, one thousand eight hundred and fifty-four,	477
507. A further supplement to an act, entitled "An Act in relation to elections and certain election districts," approved the eleventh day of March, one thousand eight hundred and fifty-two,	478
508. Supplement to an act incorporating the Dime savings institution of Philadelphia, approved twenty-seventh day of March, one thousand eight hundred and fifty-four,	478
509. An Act to protect keepers of hotels, inns and boarding houses,	479
510. An Act extending the laws authorizing the incorporation of savings fund, land, building and loan associations, to Lehigh, Northampton and Dauphin counties,	481
511. An Act relative to certain in-lots in the city of Erie, formerly used as a burying ground,	482
512. An Act permitting Joseph Longring to peddle within the county of Lebanon,	483
513. An Act changing the time for the meeting of the township auditors in Bradford county,	483
514. An Act for the relief of Jacob Deffenderfer, a soldier of the Revolutionary war,	484
515. An Act for the relief of Anna Margaret Lightner, widow of an old soldier of the Revolutionary war,	484
516. An Act for the relief of John W. Wright, late treasurer of Clearfield county,	485

NO.	PAGE
517. A supplement to an act, entitled "An Act relative to the Lancaster county prison,"	486
518. An Act relative to huckstering in the county of York,	486
519. A supplement to the act to incorporate the borough of Brownsville, in the county of Fayette,	487
520. An Act requiring the supervisors of highways, in certain counties, to give security,	488
521. A further supplement to an act authorizing the borough of Bolivar, in Westmoreland county, to dig a well, et cetera, passed April fifteenth, one thousand eight hundred and fifty,	488
522. An Act to incorporate the Mount Airy and Lime Kiln turnpike and plank road company,	489
523. Supplement to an act to incorporate the Carbon Run improvement company,	490
524. An Act authorizing the supervisors of Armstrong township, in the county of Lycoming, to collect road taxes in money,	491
525. Supplement to the act passed the twenty-ninth day of March, one thousand eight hundred and three, entitled "An Act to establish a board of wardens for the port of Philadelphia, and for other purposes,"	491
526. An Act to repeal the act incorporating the borough of Pleasant Mount, in Wayne county,	492
627. An Act to build a lock-up or house of confinement for violators of law in the borough of Ligonier, Westmoreland county, and for other purposes,	493
528. An Act supplementary to an act, entitled "An Act to incorporate the Eclectic medical college of Pennsylvania,"	493
529. An Act relative to a certain burial ground in Bucks county,	494
530. An Act to provide for the ordinary expenses of government, the repairs of the public canals and railroads, and other general and special appropriations,	495
531. A further supplement to an act regulating banks, approved April sixteenth, one thousand eight hundred and fifty,	508
532. A further supplement to an act for the regulation and continuance of a system of education by common schools, approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four,	509
533. A supplement to the act incorporating the Western Pennsylvania hospital,	512
534. An Act to punish and prevent frauds in the use of false stamps, labels and trade marks,	514
535. An Act supplementary to an act, entitled "An Act to establish an asylum for the insane of this commonwealth," approved the fourth of March, Anno Domini one thousand eight hundred and forty one,	515

NO.	PAGE
536. An Act supplementary to an act incorporating the Pittsburg and Erie railroad company,	515
537. An Act relative to the Shermansville and Andover plank road company,	516
538. An Act to empower the trustees of Beaver academy to occupy certain lots in the town of Beaver,	517
539. A further supplement to the act, entitled "An Act to authorize the governor to incorporate the Erie canal company,"	518
540. An Act relative to investments by building associations,	519
541. An Act relating to the redemption of unseated lands which may have been sold for taxes,	519
542. An Act to regulate the price of supporting the prisoners in the county jail in Allegheny,	520
543. A supplement to an act to authorize the consolidation of the York and Maryland Line railroad company, the York and Cumberland railroad company, and the Susquehanna railroad company, with each other, and with the Baltimore and Susquehanna railroad company, of the state of Maryland, into one company, to be called the Northern Central railroad company, approved the third day of May, one thousand eight hundred and fifty-four,	520
544. An Act to provide for the sale of the main line of the public works,	521
545. An Act to regulate the holding of courts in the county of Juniata,	527
546. An Act to reduce the expenses of collecting taxes in the counties of Washington and Greene,	528
547. A supplement to an act to provide for the appointment of a reporter of the supreme court of the commonwealth of Pennsylvania,	528
548. A supplement to an act to regulate the taking up of lumber, passed March twentieth, one thousand eight hundred and twelve,	529
549. An Act relating to electrical telegraphs and messages sent thereby,	531
550. An Act relating to judgments and executions in foreign attachments,	532
551. A further supplement to an act to incorporate the Dauphin and Susquehanna coal company, approved the fifth day of April, one thousand eight hundred and twenty-six,	533
552. An Act relative to the Enon Valley coal company,	534
553. An Act to incorporate the Point Breeze park association,	535
554. An Act to extend the time for relaying the track of the Chambersburg, Greencastle and Hagerstown railroad,	536
555. An Act for the erection of a new county out of part of Union, to be called Snyder, and relative to the seat of justice of Union county,	537
556. A supplement to an act, entitled "An Act to incorporate the East Brandywine railroad company," approved the thirty-first day of March, one thousand eight hundred and fifty-four,	543

NO.	PAGE
557. An Act authorizing the incorporation of the Allentown Bank,	544
558. An Act supplementary to an act, entitled "An Act to incorporate the Jeddo and Carbon County railroad company," approved the twenty-third day of March, one thousand eight hundred and fifty-four,	545
559. A further supplement to an act to incorporate the Green Ridge improvement company,	546
560. An Act to incorporate the Bedford mineral springs association,	546
561. An Act to incorporate the West Philadelphia white lead manufacturing company,	550
562. An Act to increase the capital stock of the Philadelphia steam propeller company,	552
563. An Act to incorporate the Union Hall association of Middletown, Dauphin county, Pennsylvania,	552
564. An Act to incorporate the Jefferson fire insurance company of Philadelphia,	554
565. An Act to incorporate the Bank of New Castle,	558
566. An Act authorizing the incorporation of the Mauch Chunk Bank,	558
567. An Act to authorize the governor to incorporate the Pittsburg bridge company,	559
568. An Act to incorporate the Eureka insurance company of the city of Pittsburg,	562
569. An Act to incorporate the Delaware and Schuylkill basin company, in the city of Philadelphia,	563
570. An Act to incorporate the Big Black Creek improvement company,	572
571. An Act to incorporate the Lock Haven Bank,	573
572. An Act to incorporate the Chattel loan company of Philadelphia,	573
573. An Act to incorporate the trustees of the Presbyterian house,	575
574. An Act to incorporate the Monongahela water company,	577
575. A supplement to the act incorporating the Cornwall and Phoenixville railroad company,	584
576. An Act to incorporate the Broad Top improvement company,	585
577. An Act to incorporate the Ephrata Mountain Springs association,	586
578. An Act to incorporate the National mutual insurance company,	589
579. An Act to incorporate the Pittsburg Dollar savings institution,	590
580. A supplement to an act incorporating the Merchants' insurance company,	594
581. An Act to incorporate the Philadelphia guano company,	594
582. A supplement to an act, entitled "An Act incorporating the Luzerne mutual insurance company," approved the twenty-seventh March, one thousand eight hundred and forty,	596
583. An Act to incorporate the Manufacturers' insurance company of the state of Pennsylvania,	597

NO.	PAGE
584. An Act to incorporate the North Branch and Lackawanna railroad company,	601
585. An Act to incorporate the Pennsylvania and Lehigh zinc company,	602
586. An Act to extend the charter of the Western Bank of Philadelphia,	605
587. An Act to renew and extend the charter of the Southwark Bank, in the county of Philadelphia,	606
588. An Act to incorporate the Cosmopolitan art association,	606
589. A supplement to an act, entitled "An Act to incorporate the Central American mining company," approved the twenty-first day of April, one thousand eight hundred and fifty-four,	607
590. A supplement to the act incorporating the Wellersburg and West Newton plank road company, approved April fifteenth, one thousand eight hundred and fifty,	608
591. A further supplement to the act incorporating the Monongahela navigation company,	609
592. A further supplement to an act to incorporate the Mount Carbon and Port Carbon railroad company, and relative to the Philadelphia and Reading railroad company,	610
593. An Act to incorporate the Franklin hall association of the borough of Chambersburg, Franklin county,	611
594. An Act to incorporate the Hopewell coal and iron company,	614
595. An Act incorporating the Reading insurance company,	615
596. An Act to incorporate the Miners' railroad company,	618
597. An Act to incorporate the Wabank house, on the banks of the Conestoga, in the county of Lancaster,	619
598. An Act to incorporate the Fulton hall association in the city of Lancaster,	622
599. An Act to incorporate the Divine savings of Easton,	625
600. An Act to incorporate the Johnstown iron company,	628
601. An Act to incorporate the Combula improvement company,	630
602. An Act to incorporate the Reading Savings Bank,	632
603. Supplement to an act to incorporate the Windsor Haven bridge company, approved April seventh, Anno Domini, one thousand eight hundred and forty-nine,	635
604. An Act to incorporate the Farmers' and Mechanics' fire, marine and life insurance company of Pennsylvania,	635
605. An Act authorizing the governor to incorporate the Minersville water company,	639
606. Supplement to the act incorporating the Washington mutual insurance company of Philadelphia; relative to the Junction canal company; to the sale of real estate by O. P. Ballard, and to the sale of lands by the New York and Erie railroad company,	646
607. An Act to incorporate the Seamen's saving fund society of Philadelphia,	647

RESOLUTIONS.

NO.	PAGE
1. Resolution relative to the purchase of Sutherland's Legislative Manual,	648
2. Resolution in favor of an expedition to rescue Dr. Kane and the crew of the Advance,	648
3. Resolution for the payment of the amount due to special messenger for the serving of writ of election, to supply the vacancy in the second senatorial district,	649
4. Resolution relative to the payment of certain expenses,	650
5. Resolutions relative to the state cabinet of geological specimens,	650
6. Resolution relative to geological specimens,	651
7. Resolution providing for the payment of part of the account of Hamilton and Clyde, for publishing a Daily Record of the proceedings of the legislature,	651
8. Resolution relative to the pay of S. Bentley, for serving writs, &c., in the contested election case,	652
9. Resolution relative to the Regimental flag of the second regiment, Pennsylvania volunteers, serving in the war in Mexico,	652
10. Resolution for the payment of expenses incurred by investigating the charges against the Northern Liberties Bank,	653
11. Resolution providing for the payment of part of the account of Clyde and Hamilton, for publishing a Daily Record of the proceedings of the legislature,	653
12. Resolution relative to the right of the state of New York to divert the water from the natural bed and channel of the Chemung river,	654
13. Resolutions relative to the New York and Erie railroad company,	654
14. Resolution relative to the distribution of the Colonial Records and Pennsylvania Archives,	655
15. Resolution for the payment of the expenses incurred in investigating whether any corrupt or improper influences had been used to affect the election of United States Senator,	655
16. Resolution relative to the claim of Burke and Gonder,	656

APPENDIX—1854.

NO.	PAGE
608. An Act to incorporate the Lock Haven gas and water company,	657
609. An Act authorizing the governor to incorporate the Mauch Chunk gas company,	659
610. An Act to perpetuate the rights, immunities and obligations of the Springhouse, Northamptontown and Bethlehem turnpike company, and for the purpose of changing its name, collection of tolls, et cetera,	664
611. An Act to incorporate the Auburn and Port Clinton railroad company,	665
612. An Act to legitimate Alvin Gernant M'Namee and to change his name,	666
613. An Act to change the corporate name of the president, managers and company of the York furnace bridge,	666
614. An Act to incorporate the Dime savings,	667
615. A supplement to the act, entitled "An Act to incorporate the Erie fire and marine insurance company of Erie county,"	671
616. An Act to incorporate the Farmers' mutual fire insurance company of Paradise,	674
617. An Act to incorporate the Thomas iron company,	677
618. A further supplement to an act, entitled "An Act to incorporate the Norristown and Freemansburg railroad company," approved the twenty-third day of April, Anno Domini one thousand eight hundred and fifty-two,	680
619. An Act to change the name of the borough of Cookstown, in Fayette county, and to authorize said borough to erect a lock-up house,	681
620. An Act to authorize the governor to incorporate a company to erect a bridge across the Juniata river, at the mouth of Hare's valley, in Huntingdon county,	682
621. An Act to extend the charter of the Bank of Gettysburg,	686
622. An Act to extend the charter of the Bank of Northumberland, at Northumberland,	686
623. An Act to incorporate the Mahoning and Susquehanna railroad company,	687
624. A supplement to an act incorporating the Catasauqua and Fogelsville plank road company,	688
An Act to incorporate the Central American mining company,	688
Act to annul the marriage contract entered into between Sarah Beth Ross and Benjamin C. Ross,	689

NO.	PAGE
627. An Act to annul the marriage contract between Edward H. Rauch, and Emeline, his wife,	690
628. An Act to incorporate the Allegheny Mountain health institute,	691
629. An Act to incorporate the Mechanicsburg gas and water company,	694
630. An Act to incorporate the South Mountain railroad company,	698
631. An Act to incorporate the Greenwood cemetery company of the borough of Tamaqua,	699
632. An Act to incorporate the Little Clearfield Creek navigation company,	700
633. An Act to incorporate the Watsontown bridge company,	701
634. An Act to incorporate the Roxborough lyceum, in the county of Philadelphia, and for other purposes,	705
635. An Act to incorporate the Bedford mineral springs association,	706
636. An Act to extend the charter of the Manufacturers' and Mechanics' Bank of the city and county of Philadelphia,	709
637. An Act to incorporate the Danville gas company, in the county of Montour,	710
638. An Act to extend the charter of the Bank of Penn Township, in the county of Philadelphia,	711
639. An Act to incorporate the Keystone zinc company,	711
640. An Act to incorporate the Black Creek improvement company,	713
641. An Act to incorporate the Philadelphia mutual live stock insurance company,	714
642. An Act to incorporate the town of Palo Alto, in Schuylkill county, into a borough,	717
643. An Act to incorporate the Pennsylvania steam towing and transportation company,	719
644. An Act to incorporate the Metropolitan insurance association of Pennsylvania,	720
645. An Act relating to the authentication of letters of attorney, protests of notaries public, and assignments made out of the state, and to the acknowledgment of deeds,	724

APPENDIX—1853.

646. An Act to annul the marriage contract between Nathan B. Bebec and Emma his wife,	726
647. An Act to incorporate the Bingham mining and lumbering company,	726

APPENDIX—1852.

NO.	PAGE
648. An Act to incorporate the Shifler horse company in the district of Southwark, county of Philadelphia,	730
649. An Act to incorporate the Allegheny County agricultural society,	731
650. An Act to incorporate the Fayette County Jefferson Township agricultural and horticultural society,	732
651. An Act for the charter of a bank to be located in Warren, Warren county, to be called the Warren County Bank,	733

APPENDIX—1851.

652. An Act to incorporate the Warren and Ridgway bridge company,	735
653. An Act to incorporate the Wilkesbarre cemetery association,	738
654. An Act to incorporate the Sinnemahoning and Pittsburg railroad company,	740
655. An Act incorporating the Union church, at Plainfield, in the county of Cumberland, and relative to elections in Roaring Creek and Madison townships, in Columbia county,	741

L A W S

OF THE

COMMONWEALTH OF PENNSYLVANIA.

No. 1

A SUPPLEMENT

To an act, entitled "An Act relating to the Elections of this Commonwealth," passed the second day of July, Anno Domini one thousand eight hundred and thirty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That whenever a vacancy shall have occurred, or may hereafter occur, in either house of the legislature of this commonwealth during the recess of the legislature, and the members thereof may have been or may be required, either by their own adjournment, by the governor or otherwise, to meet at some time previous to the next general election, the speaker shall issue the writ and appoint a time for holding said election to fill said vacancy, as provided for by the thirty-sixth section of the act to which this is a supplement.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The sixteenth day of January, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 2.

A SUPPLEMENT

To the act incorporating the Borough of Palo Alto, passed May twenty-ninth, one thousand eight hundred and fifty-four.

Officers in, and
length of terms.

Acts made valid.

Borough taxes.

Burgess to pre-
side.

Subject to general
borough law.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the corporate officers of the said borough shall consist of a chief burgess, to be elected annually, and six councilmen, two of whom shall be elected annually, for the term of three years; that two councilmen shall be elected at the next annual election, and the persons for two years; and those elected as councilmen for three years at the first charter election in one thousand eight hundred and fifty-four, shall hold their respective offices for the periods for which they were severally elected; and all the official acts of the councilmen and burgess elected at the said first charter election aforesaid, shall be valid, and as binding as though they had been designated in the said charter or act of incorporation.

SECTION 2. The corporate officers shall have power, annually, to lay and collect a tax for borough purposes, upon every description of property, money at interest, trades and professions, and other matters and things made taxable by law for county and state purposes, which said tax in any one year shall not exceed the sum of ten mills in the dollar on the county valuation.

SECTION 3. The chief burgess shall preside at the council board and have the casting vote; and in his absence a president *pro tem.* of one of the board shall be constituted, and exercise the authority of chief burgess.

SECTION 4. That all matters in the said borough not here designated, shall be governed by the general act relating to boroughs, of the third of April, one thousand eight hundred and fifty-one.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-fourth day of January, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 3.

AN ACT

Relative to the purchase of certain Books for the use of the Legislature.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the acting clerk of the senate and the clerk of the house of representatives, are hereby directed to procure a copy of Purdon's Digest for each member and principal and assistant clerk of the senate, and each member and principal and assistant clerk of the house, the accounts for which to be settled in the usual manner. Clerks to purchase Purdon's Digest.

SECTION 2. That the acting clerk of the senate is further authorized to procure thirty-three copies of M'Kinney's Digest of the Laws of the Commonwealth relative to Banks, for the use of the senate, and the clerk of the house of representatives to procure one hundred and three copies of the same, for the use of the members and clerks of the house, the accounts for which to be settled in the usual manner. M'Kinney's Digest to be purchased.

SECTION 3. That the clerks of the senate and house be directed to purchase for the use of the members of both houses, railroad maps of this commonwealth and adjoining states, of the latest and best editions, to be paid as herein provided for in preceding sections. Railroad maps to be purchased.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 4.

AN ACT

Changing the time of holding the Spring Election in the Borough of Freeport, Armstrong county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

LAWS OF PENNSYLVANIA,

the elections for borough officers in the borough of Freeport, county of Armstrong, shall hereafter be held on the last Friday in February, annually, and so much of any law relating to said elections as is inconsistent herewith, is hereby repealed.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 5.

AN ACT

To repeal the Registration Act.

Repeal.

Proviso

Proceedings vali-
dated.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act, entitled "An Act to provide for a registration of marriages, births and death," passed at the session of one thousand eight hundred and fifty-one, be and the same is hereby repealed: Provided, That the record of births, marriages or death, made before the passage of this act, shall be as valid evidence of the facts so recorded, as if this act had not been passed.*

SECTION 2. *That all letters of administration, or letters testamentary heretofore issued, and all appointments of guardians to the persons or estates of minors, which are or may be invalid under the provisions of the sixth and seventh sections of the act aforesaid, be and the same are hereby confirmed, made valid and effectual in the same manner, and to all intents and purposes, as if the said act had never been passed.*

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 6.

A SUPPLEMENT

To an act in relation to establishing and changing the places for holding General Elections throughout the Commonwealth, passed April twentieth, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases in which new townships, boroughs or election districts shall be erected, or the bounds of any election district changed under the provisions of the act to which this is a supplement, the court of quarter sessions erecting or changing the same, shall fix the places for holding the elections, which shall continue to be the place for holding elections until the same shall be changed according to the provisions of said act; and the said courts shall also appoint the officers for holding the first election in any township, borough or election district so erected.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 7.

AN ACT

Fixing the place of holding Elections in Burrel township, Armstrong county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the general, special and township elections in Burrel township, Armstrong county, shall be held at the house of Israel Kinnard, in said township, and that Ephraim Haze act as judge,

LAWS OF PENNSYLVANIA,

and Jackson Helfrick and William Ashbaugh act as inspectors at the ensuing spring election.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 8.

A N A C T

To confer on Kate E. Clark the rights, privileges and advantages of a child born in lawful wedlock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Kate E. Clark, child of J. M. and M. A. Clark, shall have and enjoy all the rights and privileges, benefits and advantages of a legitimate child of the said J. M. and M. A. Clark born in lawful wedlock, and shall be able and capable in law to inherit and transmit any estate whatsoever, as fully and completely, to all intents and purposes, as if she had been the legitimate child of the said J. M. and M. A. Clark born in lawful wedlock.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—This thirty-first day of January, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 9.

A FURTHER SUPPLEMENT

To the act incorporating the House of Refuge of Western Pennsylvania, passed April twenty-second, one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

the nineteenth section of the act to which this is a further supplement, shall extend and apply to all children received into the house of refuge of western Pennsylvania. Act extended.

SECTION 2. That it shall be lawful for the board of managers of said institution, at their discretion, to retain or bind out female infants committed to their care, (who may be sixteen years of age at the time they are committed,) until they shall reach the age of twenty-one years. Binding out of females.

SECTION 3. That so much of the supplement to the act incorporating said institution, passed March sixteenth, one thousand eight hundred and fifty-four, as limits the payments of the appropriation made therein to annual payments of five thousand dollars each, be and the same is hereby repealed; and the state treasurer is hereby authorized to pay the whole amount undrawn of said appropriation out of any money in the treasury not otherwise appropriated. State Treasurer to pay appropriation.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 10.

AN ACT

To authorize the Bear Creek and Lehigh Plank Road Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the Bear Creek and Lehigh plank road company to borrow, on the credit of the said company, any sum of money not exceeding fifteen thousand dollars, at a rate of interest not exceeding six per centum per annum, and to issue bonds therefor in any sums not less than one hundred dollars: *Provided,* That the said company is hereby authorized to sell or dispose of the bonds so issued, for any sum or sums less than the amount for which the same shall be issued.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The third day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 11.

A N A C T

To close finally the Trusts of the late Bank of the United States.

Preamble.

WHEREAS, The president, directors and company of the Bank of the United States, by certain indentures of assignment bearing date respectively the fourth and sixth days of September, eighteen hundred and forty-one, granted and conveyed unto James Robertson and others, and the survivors and survivor of them, certain lands, tenements, property, effects and estate, for the uses, trusts and purposes in the said assignments stated:

And whereas, Divers accounts have from time to time been filed by the said trustees in the court of common pleas for the city and county of Philadelphia, which, after being audited, were confirmed by the said court, and distribution of the balances of moneys and effects therein exhibited, made by the accountants in conformity to the reports of auditors and decrees of court thereon:

And whereas, It has been represented that the estate remaining to be distributed, is insufficient to pay in full the debts due to the creditors of said bank entitled to dividends under said deeds, and that said creditors are desirous to have said trust finally and fully closed without delay, by a distribution in kind at an appraised value of all the remaining assets, property and effects in the hands of the said trustees, among the creditors entitled thereto; but the character and condition of the said assets, property and effects, are such that it has been found difficult, if not impracticable, for the said trustees to make such distribution without further legislation:

Trustees to file their final account in the court of common pleas.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the said trustees, immediately on the passage of this act, to file in said court of common pleas their final account as trustees aforesaid, and to exhibit therein a statement of the assets, moneys, securities, property, effects and estate, real and personal, remaining in their hands or under their control, unadministered and undisposed of, including their claims under and by virtue of any other assignments made by said bank, and to cancel and destroy, in such manner as shall be directed by said court, the surrendered notes or obligations of the said bank which have been paid or taken in by them; which said final account shall be referred in the usual manner to auditors, whose duty it shall be to audit, settle and adjust the same, to hear and make report to said court on any and all objections or exceptions which may be made thereto; and also to value or appraise and report to the court distribution of all and singular the said unadministered estate, real and personal, moneys, securities, assets, property and effects, among such persons then and there appearing and presenting claims, as the said auditors may decide to be entitled to participate in such distribution; and it shall not be lawful for the said trustees, or any

Auditors to be appointed

of them, to contest any of the claims so presented, but such contests shall be limited to and among the several claimants, and on the confirmation of the report of the said auditors by the said court and distribution, payment or transfer of the said remaining assets, property and effects by the said trustees, to the said claimants, in accordance with the said report and the decree of said court thereon, the said trustees, individually and collectively, shall thereupon, *ipso facto*, be finally and forever discharged from all liability to file any or further account relative to their trust, and also from all claims, demands, notes, debts, judgments, obligations, suits, charges, levies, taxes, assessments and proceedings whatever of the said assignor, its successors or assigns, and of any and all stockholders or trustees thereof now existing or hereafter created, and of all creditors and claimants whatsoever, or persons or parties alleging themselves so to be, and of all other persons, powers, jurisdictions or corporations whatsoever, in the same manner and to the same extent as if the said assignments had never been made; and it shall be lawful for the said court, on the confirmation of the said auditors' report and payment, or distribution by the said trustees as aforesaid, and without further notice, to enter of record, on the application of any party interested, a final decree fully and entirely discharging the said trustees.

Trustees to be discharged from liability.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The third day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 12.

AN ACT

Relative to the Lehigh Crane Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for the Lehigh Crane iron company to issue bonds in sums not less than one hundred dollars each, bearing interest at six per centum per annum, payable semi-annually, and sell the same for a less price than the par value thereof, any law to the contrary notwithstanding: Provided, That the amount of bonds so issued and remaining unpaid shall not at any time exceed two hundred thousand dollars; and that the aggregate indebtedness of said company, including all said*

bonds so issued and remaining unpaid, shall not at any time exceed the amount of the capital stock of the company paid in.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The third day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 13.

AN ACT

Consolidating the Wards of the City of Pittsburg for Educational purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the city of Pittsburg shall hereafter constitute an independent school district; and in order to establish a more extensive system of common school education within the corporate limits of said city, so much of the present common school law of this commonwealth as is inconsistent with this act, shall be inoperative within said city.

Independent
school district es-
tablished.

SECTION 2. That within twenty days after the passage of this act, and thereafter whenever it shall become necessary under this act, within twenty days after the election of school directors, each of the school boards of the respective wards of said city shall elect one person to serve as a member of the central board of education of said city, which person so elected shall be, at the time of his election, a citizen of the ward for which he shall be so chosen, but he shall be equally well qualified to serve as a member of said board whether he be a school director when elected or not.

Member of Cen-
tral Board.

SECTION 3. That within ten days after the election of the members of the said central board, or as soon thereafter as may be practicable, they shall meet at one of the public school houses of the said city, and organize by choosing one of their number as president of said board, and also a secretary and treasurer, which last mentioned officers may be members of the board or not, at the discretion of the members thereof.

Meeting of Cen-
tral Board.

SECTION 4. That at the first meeting of the central board after the passage of this act, and immediately after the organization of said board, nine ballots shall be prepared and deposited in a box, upon three of which ballots shall be written the words "one year;" upon three, the words "two years," and upon the remaining three, the words "three years," which ballots shall be

Ballots

drawn from the box by the members of the said board; and the members drawing ballots on which shall be written the words "one year," shall serve as members of said board for the term of one year; those drawing ballots on which shall be written the words "two years," shall serve as members of said board for the term of two years, and those drawing ballots on which shall be written the words "three years," shall serve as members of said board for the term of three years, or until such time as their successors may be elected under section second of this act.

SECTION 5. That the members of the central board elected after the present year shall hold their office for the term of three years, except when elected to fill vacancies caused by death, resignation, removal from the ward, refusal to serve, or other cause, in which case they shall be chosen to serve for the whole unexpired term of the person or persons whose place they shall be chosen to fill. Term of office.

SECTION 6. That if any person duly elected a member of the central board shall refuse to attend a regular meeting of the board, after having received regular notice from the secretary to appear and enter upon the duties of his office, or if any person having taken upon himself the duties of his office as member of said board, shall neglect to attend two regular consecutive meetings of the board, unless detained by sickness or prevented by absence from the district, or shall neglect or refuse to act in his official capacity when present at a meeting of said board, the members present shall have power to declare his seat vacant, and the secretary shall give at least three days' notice of such vacancy before the next meeting of the board, to the president or secretary of the ward board represented by the person whose place is so declared vacated. Members of Central Board who neglect or refuse to attend meetings—seats of, declared vacant.

SECTION 7. That the president of the central board shall preside at the meetings of the board; authorize the secretary to call special meetings of the board, when he shall deem the same to be necessary; issue the duplicates and warrants for the collection of the school taxes within the district; take sufficient bond from the treasurer of the central board for the faithful performance of his duty; sign all warrants on the treasurer, as well as the annual report to the state superintendent of the common schools, and do such other acts as lawfully pertain to the office of president of said board. Duties of the President.

SECTION 8. That the secretary of the central board shall keep full minutes of all the proceedings of the board in a book to be provided for that purpose; prepare the duplicates of school taxes; keep an account of all abatements and exonerations made by the board; prepare, attest and forward to the state superintendent the annual report of the board; prepare and attest all warrants on the treasurer, and generally do and perform all other acts lawfully pertaining to the office of secretary, and for his services he shall receive a salary not exceeding five hundred dollars per annum. Duties of the Secretary.

SECTION 9. That the treasurer aforesaid shall give bond to the president of the central board, for the use of the district, in such amount and with such sureties as shall be approved of by the board, conditioned for the faithful performance of his duties; he shall receive all state appropriations, district taxes and other school funds of the district, and pay thereout moneys on all warrants drawn on him by the board, signed by the president and attested by the secretary thereof; he shall settle his accounts Treasurer to give bond.

annually with said board, and in default of a satisfactory settlement of the same, he shall not be eligible for re-appointment; he shall pay over any balances in his hands without delay to his successor in office, and generally do and perform all acts and duties lawfully pertaining to his office as treasurer, and shall be allowed to retain for his services a sum not exceeding one per centum on the money received and paid out by him.

President and
Secretary pro
tempore.

SECTION 10. That if the president or secretary shall absent himself from any meeting of the central board, or being present shall refuse to perform any of the duties of the office, a president or secretary *pro tempore* shall be appointed by the members present, an entry of which appointment, and the reason thereof, shall be made in the minutes of the proceedings of the board; and the acts necessarily performed by such president or secretary *pro tempore*, during such meeting, shall be as valid and binding as if they had been performed by the regular officers of the board.

Stated meetings.

SECTION 11. That the central board shall hold at least one stated meeting every month; and the secretary shall give due notice to each member of the board of the time and place of holding all meetings; a majority of the board shall constitute a quorum for the transaction of business, but less than a majority may adjourn from time to time.

Powers of Central
Board.

SECTION 12. That the central board aforesaid shall have capacity as bodies corporate—

I. To sue and be sued in the several courts of this commonwealth, by the name of the Central Board of Education of the city of Pittsburg.

II. To purchase and hold such real estate and personal property within the city of Pittsburg as may be necessary for the establishment and support of such schools as the central board of education by this act are required to put in operation, and the same to sell, alien and dispose of when said real estate shall be no longer necessary for the purposes of this act.

III. The said corporation shall procure and have a common seal, with such device or devices thereupon as may be fixed on by said board; said seal to remain in the custody of such persons as may be designated in the by-laws of said corporation.

IV. The said corporation shall have power and authority to make such by-laws, rules and regulations as may be necessary to carry out the provisions of this act.

Borrow money.

SECTION 13. That for the purpose of erecting school houses or purchasing ground whereon to erect the same, it shall be lawful for the central board to borrow money and issue bonds therefor: *Provided*, That said board shall not be indebted for borrowed money at any time to a greater amount than ten thousand dollars.

Proviso.

Two high schools.

SECTION 14. That the central board shall, as soon as possible after the organization of the board, proceed to establish two high schools; one for the education of pupils of each sex, and one or more distinct and separate schools for the exclusive education of children of color.

Levy tax.

SECTION 15. That the central board shall annually, on or before the first Monday in May, and by a vote of not less than a majority of the members of the board, determine the amount of the school taxes which shall be levied on the district for the ensuing school year; which amount shall, together with such additional sums as the district may be entitled to receive out of the state appropriation and from other sources, be sufficient and

necessary for the purchase of ground and the erection thereon of all buildings necessary for the establishment of the high schools and schools of children of color, and to keep in operation said high schools and schools of children of color, and also for the payment of the teachers of all the several ward schools of the district, and said schools to be kept open not less than six nor more than ten months in the year.

SECTION 16. That for the purpose of enabling the central board to assess and apportion the tax, the county commissioners of Allegheny county shall, when required by the board, furnish the secretary thereof with a correct certified copy of the last adjusted valuation of proper persons, property, subjects and things made taxable within said city for state and county purposes, which said persons, property, subjects and things are hereby made taxable for school purposes, according to the several provisions of this act. Commissioners to furnish copy of assessment.

SECTION 17. That the central board shall, on or before the first Monday of June in each and every year, proceed to levy and apportion the said school tax pursuant to this act, the same not to exceed in any year six mills on the dollar within said city on all objects, persons and property made or to be made taxable within the same for state or county purposes: *Provided*, That any tax on trades, professions and occupations, or on single freemen, shall in no case be less than fifty cents. Apportionment of tax. *Provided*.

SECTION 18. That the central board shall appoint some suitable and competent person as collector of the school duplicate for each ward, who shall be allowed such compensation as may be agreed upon, not exceeding five per centum on the money collected, for his services, and to whom a warrant shall be issued by the president and countersigned by the secretary of the board, and requiring him to demand from every person in such duplicate named, the sum wherewith he stands charged, in the same manner, and with like power and authority to enforce the collection of the same, as is now or may hereafter be conferred by law upon the collector of county taxes; and the board shall have the right at all times to make such abatements or exonerations as to them shall appear to be just and reasonable, and the secretary shall enter on the minutes the names of all persons in whose favor such abatements or exonerations shall be made, together with the reasons therefor. Collector.

SECTION 19. That no person shall be appointed collector of the school tax unless he shall give bond in such amount as shall be determined by the central board, and with such surety or sureties therein as shall be satisfactory to the board. Bond of collector.

SECTION 20. That the said central board shall have full power and authority to rent or purchase, as they may deem advisable, for the purpose of the high schools and for schools for children of color, real estate within the city of Pittsburg, and to erect thereon all such buildings as they may deem necessary, and the same to alien or dispose of in any way as they may deem best for the interest of said schools. Board to rent or purchase buildings.

SECTION 21. That the central board shall have full power and authority to purchase furniture, books, apparatus and other personal property, for the use of the high schools and schools for children of color. Purchase books, &c.

SECTION 22. That the central board shall have the appointment of all professors and teachers of high schools and all teachers of schools for children of color, and may dismiss them Appointments.

at any time for incompetency, cruelty, negligence or immorality, or any other cause.

Branches of learning.

SECTION 23. That the central board shall direct what branches of learning shall be taught in the ward schools, schools for children of color and the high schools.

School books.

SECTION 24. That the central board shall, on or before the first Monday of June, annually, select and decide upon a series of school books in the different branches to be taught during the ensuing school year, which books shall be used in all the schools of the district during that period.

Teachers.

SECTION 25. That the central board shall have power and authority to determine upon the number of teachers to be employed in the ward schools, schools for children of color, and professors and teachers in the high schools, and to fix and pay the salaries of all of said professors and teachers.

Admission of pupils.

SECTION 26. That the central board shall have power to establish such rules and regulations for the admission of pupils into the high schools, and also to fix the standard of qualifications of such pupils as shall be applicants for admission into said high schools, as the said board may deem just and proper: *Provided*, That no person shall be admitted as a pupil into said high schools, who has not been in attendance at some of the ward schools for at least one year immediately preceding the application for admission into said high schools.

Proviso.

Examination of teachers.

SECTION 27. That the central board may at any time examine, or cause to be examined, any or all of the professors and teachers of the high schools and teachers of the schools for colored children, and issue certificates setting forth the branches of learning which such professors or teachers are found qualified to teach.

Accounts of Treasurer to be audited.

SECTION 28. That the central board shall annually appoint three of their members to examine and audit the account of the treasurer of said board, and to report the same on or before the first Monday of June to the board, which report shall be published in two daily papers of the city of Pittsburgh.

State appropriation.

SECTION 29. That the central board shall be entitled to and receive that portion of the common school fund appropriated by the state for common school education to which the city of Pittsburgh may, from the number of its taxable inhabitants, be entitled: *Provided*, That the said board shall annually make a report, through the county superintendent, to the state superintendent, setting forth the number of schools in the district; the character of the teachers, designating whether male or female; the number, sex and color of the pupils admitted during the year; the number of months in the year during which each of the ward schools, schools for children of color and high schools have been open; the amount of school tax levied and collected, and all other expenses which may have been incurred in maintaining the schools of the district, together with such other information as may aid in forming a just estimate of the school system.

Proviso.

Board to visit.

SECTION 30. That the central board shall exercise a general supervision over the high school and the schools for children of color, and shall, by one or more of their members, visit said high schools at least once in each week; also the schools for children of color once a month, and cause the result of such visits to be entered on the minutes of the board.

Courts may vacate the seats of Central Board.

SECTION 31. That if the central board of education shall refuse or neglect to perform their duties, by levying the tax re-

quired by this act, and to put or keep the high schools and schools for colored children in operation, or shall neglect or refuse to perform any other duty enjoined by this act, the court of quarter sessions of Allegheny county may, upon complaint in writing of any six taxable citizens of the district, and on due proof of such delinquency, declare the seat of such member or members of the board so refusing vacant, and shall appoint others in their stead, to serve until the next annual election of the central board of education.

SECTION 32. That all moneys paid out by the treasurer shall be on a warrant authorized by the central board, signed by the president and attested by the secretary.

Moneys to be paid on warrant.

SECTION 33. That school directors for each ward shall be elected annually in the respective wards of said city, in the manner following, to wit: at the time and place of holding the ward elections for constables in and for said city, and in like manner in which the same are held by law, two qualified citizens shall be elected school directors in each ward, whose term of office shall be three years.

Election of school directors.

SECTION 34. That duplicate returns of all elections for directors shall be made out, signed and sealed by the judge and inspectors, and delivered by the constable or proper officer of said election, one to the board of directors, and the other to the court of quarter sessions of the county of Allegheny, within ten days after said election; and each person elected a director shall be notified thereof in writing within five days after the election. If the legality of any election for directors be contested in writing by not less than ten qualified citizens of the proper ward, the said court of quarter sessions is hereby authorized and required forthwith to examine into the election, and to confirm or set it aside as to said court shall seem just and proper; and if said election be set aside to order a new election at the usual place and in the usual manner, on not less than two weeks' public notice by the proper officer.

Returns of elections.

SECTION 35. That the several ward boards of directors shall have power to fill any vacancy which may occur therein by death, resignation, removal from the ward or otherwise, until the next annual election for directors, when such vacancy shall be filled by electing a person to supply the same.

Vacancies how filled.

SECTION 36. That if any person duly elected a school director shall refuse to attend a regular meeting of the board, after having received written notice from the secretary to appear and enter upon the duties of his office, or if any person having taken upon him the duties of his office as director, shall neglect to attend any two regular meetings of the board in succession, unless detained by sickness, or prevented by absence from the ward, or to act in his official capacity when in attendance, the directors present shall have power to declare his seat in the board vacant, and to appoint another in his stead to serve until the next regular election.

Neglect or refuse to attend meetings—seats of. to be declared vacant.

SECTION 37. That if all or a majority of the members of any of the several ward boards of directors shall refuse or neglect to perform any or all of their duties enjoined upon them by this act, the court of quarter sessions of Allegheny county shall, upon complaint in writing by any six taxable citizens of the proper ward, and upon due proof thereof, declare their seats vacant, and appoint others in their stead until the next annual election for directors.

Courts may declare seats vacant.

Organization.

SECTION 38. That annually and within twenty days after the election of school directors, each board of directors of the several wards of the district shall meet and organize by choosing a president and secretary, who shall be members of the board; also a treasurer and one person to represent said ward in the central board of education, who may be members of the ward board or otherwise, at the discretion of the directors.

Duties of the President.

SECTION 39. That the president shall preside at the meetings of the board, call special meetings when necessary, issue the duplicate and warrant for the collection of the special ward tax authorized by section fifty-five of this act, take sufficient bond from the ward treasurer, for the faithful discharge of his duty, sign the certificate of the assessment of said tax, and all orders issued on the ward treasurer by order of the board, and generally do and perform all other acts and duties lawfully pertaining to the office of the president of the board.

Duties of the Secretary.

SECTION 40. That the secretary shall keep full minutes of all the proceedings of the board in a book to be provided for that purpose, prepare and attest all orders on the treasurer, notify the central board of the election of all members of the said board within his ward, and do and perform all other acts and duties lawfully pertaining to the office of secretary of the board.

Treasurer to give bond.

SECTION 41. That the treasurer shall give bond to the president for the use of the ward, in such amount and with such sureties as shall be approved of by the board, for the faithful performance of his duty: he shall receive the special ward tax and other funds of the ward, and pay thereout all orders of the board of directors, signed by the president and attested by the secretary: he shall settle his accounts annually with the directors, in default of which he shall not be re-appointed: he shall pay over the balance in his hands, without delay, to his successor in office, and generally do and perform all acts and duties lawfully pertaining to his office; and he shall be allowed to retain for his services a sum of money not exceeding two per centum on all the money received and paid out by him.

Stated meetings.

SECTION 42. That each board of ward directors shall hold at least one stated meeting in every month, and a majority of the board shall constitute a quorum for the transaction of business, but less than a majority may adjourn from time to time.

Directors in office to continue.

SECTION 43. That school directors elected under the provisions of former acts, and being in office at the time of the passage of this act, shall severally hold their offices during the time for which they were elected.

Purchase and hold real and personal estate.

SECTION 44. That the board of directors of every ward shall have power and authority to purchase and hold such real and personal property as may be necessary for the establishment and support of the ward schools within their respective wards, and the same to sell, alien and dispose of when it shall not be necessary for the purposes aforesaid.

Title.

SECTION 45. That the several boards of directors of the wards of said city shall be vested with the title to all real and personal property now belonging to the respective boards of school directors of said wards, or that may hereafter be acquired.

Pupils.

SECTION 46. That each of the several ward boards of the district shall admit every individual between the ages of five and twenty-one years, of sound mind, and residents of the ward, (except persons of color) to the schools of their respective wards,

who may apply for admission and instruction, either in person or by parent, guardian or next friend.

SECTION 47. That the ward school directors shall cause suitable lots of ground to be purchased or rented, and suitable buildings to be erected, purchased or rented for school houses, and shall supply the same with the proper convenience and fuel. School houses.

SECTION 48. That the said ward school directors shall exercise a general supervision over the ward schools so required to be by them established in their respective wards, and shall, by one or more of their number, visit every such school in their ward at least once in each month, and shall cause the result of such visit to be entered on the minutes of the board. Supervisory powers.

SECTION 49. That the county superintendent of common schools shall either by himself, or in the event of his inability to perform the required duty, such other person or persons as may be appointed by him, with the advice and consent of the respective boards of ward school directors, examine all persons who may apply for appointment as teachers, and shall give to each teacher, found qualified and of good moral character, a certificate setting forth the branches of learning he or she is capable of teaching, which certificate shall be renewed annually, and signed by a majority of the acting board of directors, and no person shall be employed as a teacher without having procured such certificate. Examination of teachers.

SECTION 50. That the board of directors of each of said wards shall have the appointment of the teachers of the ward schools required to be by them established by this act within their respective wards, and may dismiss them at any time for incompetency, cruelty, negligence or immorality, or other cause. Appointment of teachers.

SECTION 51. That the board of directors of each of said wards may suspend or expel from the ward schools aforesaid, all pupils found guilty of refractory or incorrigibly bad conduct. Suspension of teachers.

SECTION 52. That in order to enable the central board to make out their annual report to the state superintendent, the board of directors of the several wards shall, on or before the first Monday of June, annually, report to the central board of education, setting forth the number of schools in the ward, the character of the teachers, designating whether male or female, the number and sex of the pupils admitted during the year, the number of months in the year during which each of the ward schools has been open, the amount of tax levied and collected, the cost of the school houses, either for building, renting or repairing; together with such other information as may aid in forming a just estimate of the school system. Annual report.

SECTION 53. That school directors and members of the board of education shall be exempt from the performance of any militia duty during their term of office. Exemption.

SECTION 54. That night schools shall be kept open in each ward of the district at least three months during each school year, for the education of such persons residents of the district, above the age of twelve years, as may be unable to attend the day schools of said ward; and said night schools to be under the direction and control of the directors of the several wards, in like manner and authority as they possess by this act over the day schools of their respective wards. Night schools.

SECTION 55. That the several ward boards of the district may at any time, not oftener than once in each school year, levy a special tax not exceeding the amount of the regular annual

school tax for such year, to be applied solely to the purposes of purchasing or paying for the ground and the building, or erection of school buildings thereon, and repairing of said buildings, and furniture, apparatus, and all necessary books and stationery, and fuel therefor and janitor; which tax shall be levied, assessed and collected in the same manner and with like authority as the regular annual school tax.

Collector of special tax.

SECTION 56. That each of the several boards of directors shall appoint some suitable and competent person as collector of the special tax duplicate for each ward, who shall be allowed such compensation as may be agreed upon, not exceeding five per centum on the money collected for his services, and to whom a warrant shall be issued by the president and countersigned by the secretary of the board of directors, authorizing and requiring him to demand and receive from every person named in such duplicate, the sum wherewith such person stands charged, in the same manner and with like power and authority to enforce the collection of the same, as is now or may hereafter be conferred by law upon the collector of county taxes; and the board shall have the right at all times to make such abatements or exonerations for mistakes, indigent persons or unseated lands, as to them shall appear just and reasonable; and the secretary shall enter on the minutes the names of all persons in whose favor such abatements or exonerations were made, together with the reasons therefor.

Bond.

SECTION 57. That no person shall be appointed collector of the special ward tax so to be levied and assessed by any such board of directors, unless he shall give bond in such amount as shall be determined by the board of directors, and with such surety or sureties therein as shall be satisfactory to the directors.

Tax on unseated lands.

SECTION 58. That whenever the regular school, or any special ward tax assessed on unseated lands in any ward under any of the provisions of this act, shall not be voluntarily paid by the owner or owners thereof, the collector shall certify the same to the proper county commissioners, who shall enforce the collection thereof with the taxes assessed on unseated lands for county purposes; and when so collected, shall be paid to whoever may be the treasurer of the central board, or the proper ward treasurer.

Borrow money.

SECTION 59. That any one of the ward boards may, for the purposes of purchasing ground or erecting school buildings thereon, or for paying debts heretofore contracted for school purposes by the ward board, borrow money to the amount of ten thousand dollars: *Provided*, That at no one time shall their indebtedness for borrowed money exceed said amount.

Proviso.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The ninth day of February, one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 14.

AN ACT

To increase the capital stock of the Short Mountain Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* to enable the Short Mountain coal company, without contracting a debt, to add to their works and promote the interests of said company, the said corporation are hereby authorized to issue six thousand additional shares of stock, the shares to be valued and certificates to be made and attested, in pursuance of the provisions of the act incorporating said company, passed on the twentieth day of February, eighteen hundred and fifty; said additional stock and every part thereof to be appropriated as the property of said company, to such purposes only as shall be approved by a majority in amount of all the stockholders. To issue additional shares of stock.

SECTION 2. That the said company shall be required to pay to the state treasurer, for the use of the commonwealth, a tax of one-half of one per centum on said stock, as the same may be issued, to be paid in four instalments, the first on the first Monday in July succeeding said issue, and the remaining instalments at intervals of twelve months thereafter. To pay tax into State Treasury.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The ninth day of February, one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 15.

A SUPPLEMENT

To an act, entitled "An Act to incorporate the Lancaster and Marietta Turnpike Road Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Lancaster and Marietta turnpike road company be and is hereby authorized to construct and make a branch of said road

from near the mill of Samuel Johnson, at the Lancaster and Marietta turnpike, to intersect the Columbia and Marietta turnpike, near Eagle furnace; for which purpose said company is hereby authorized to occupy the road now in use between said points; said branch to be subject to all the provisions of the acts to which this is a supplement; and that said company is hereby authorized to regulate the amount of tonnage contained in any wagon passing over their road and said branch road.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 16.

AN ACT

Changing the time of holding the Courts in the county of Susquehanna.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the April term of the courts of Susquehanna county shall commence on the first Monday of April in each and every year, instead of the third Monday, as now by law provided.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 17.

SUPPLEMENT

To an act, entitled "An Act to incorporate the Yardleyville and Newtown Turnpike and Plank Road Company," approved the ninth day of April, one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the president and managers of the Yardleyville and Newtown turnpike and plank road company, in the county of Bucks, be and they are hereby authorized and empowered to repair and improve said road, now constructed of plank, with stone or gravel, at any and all times and places as they, in their judgment, may think best for the benefit and accommodation of travel in said road: Provided, That in no case the said repaired and improved part thereof shall be of less width than ten feet.*

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 18.

AN ACT

Authorizing the Trustees of the Erie Academy to open and re-settle the accounts of Matthew Pollock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the trustees of the Erie academy, in the county of Erie, be and they are hereby authorized and required to open and re-settle the accounts of Matthew Pollock, of said county, arising from the rent and purchase of land sold by said trustees, and which proved deficient in quantity, and refund to the said Pollock*

whatever sum may be found due him on a re-adjustment of said account.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 19.

AN ACT

Relating to George Shoenefelt, of Blair county, an habitual drunkard.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the record of an inquisition whereby George Shoenefelt was found an habitual drunkard, together with the subsequent proceedings thereon in the court of common pleas of Huntingdon, shall be duly certified to the court of common pleas of Blair county; whereupon the said court of common pleas of Blair county shall have jurisdiction in all things thereunto appertaining, as fully as if such proceedings had been originally commenced in said county.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 20.

A N A C T

To confer on John Thomas Moffett, of Washington county, the benefits of a child born in lawful wedlock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John Thomas Moffett, a son of John Moffett, of Washington county, in the commonwealth of Pennsylvania, shall have, hold and enjoy all the rights, privileges, emoluments and advantages of a child born in lawful wedlock, and shall be able and capable in law and equity to have, hold, inherit and transmit any estate whatsoever, as fully and effectually as if he had been born in lawful wedlock, and especially the estate of John Moffett, in said county.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 21.

A N A C T

To extend the Powers of certain Officers in Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the mayor of the city of Pittsburg, the mayor of the city of Allegheny, and the burgesses of the several boroughs in Allegheny county, shall have and exercise all the powers of aldermen and justices of the peace, in all cases of violation of the second section of an act relating to the granting of tavern licenses in the county of Allegheny, and to the licensing of billiard rooms and bowling saloons in Mifflin county, approved the four-

LAWS OF PENNSYLVANIA,

teenth day of April, Anno Domini one thousand eight hundred and fifty-one.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 22.

A SUPPLEMENT

To an act incorporating the Western University of Pennsylvania, passed February nineteen, one thousand eight hundred and nineteen.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of trustees of the Western university of Pennsylvania be and they are hereby authorized to borrow money, not exceeding ten thousand dollars, and issue their bonds therefor, in sums of not less than one hundred dollars each, and secure the payment of the principal and interest of the same, by a mortgage or mortgages upon the property of said university; and the bonds so issued shall be exempt from taxation.

Board authorized
to borrow money.

SECTION 2. That if any member of the board of trustees of said university shall hereafter absent himself for four successive meetings of the board, unless prevented from attending by sickness, or absence from the county of Allegheny, it shall be lawful for the said board to declare the office of said member vacant, and supply the same as provided by the act to which this is a supplement.

Trustees neglect-
ing to attend,
their offices va-
cated.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 23.

AN ACT

Authorizing a special Road Tax in LeBœuff township, Erie county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Special road tax to be assessed. for the purpose of re-building the bridge over French creek, in LeBœuff township, in the county of Erie, on the Flats road, the road commissioners of said township are hereby authorized to levy, assess and collect a special road tax upon all property now by law made taxable for road purposes.

SECTION 2. That the aggregate amount of such special tax shall not exceed the sum of seven hundred dollars, and shall be Amount. assessed, collected and accounted for in the manner now provided by law, and shall be wholly appropriated for the purpose aforesaid: *Provided, That the whole or any part of said tax* Proviso. may be collected in money, as shall be deemed expedient by the said road commissioners.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 24.

AN ACT

Allowing the Commissioners of Warren county to lay additional Tax for the purpose of erecting certain Public Buildings.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Commissioners to erect public office the commissioners of the county of Warren be and they are hereby authorized to erect, at the seat of justice of said county, such building as may be necessary to accommodate the several officers in said county, and for the reception and safe keeping of the records and other papers in charge of such officers.

To increase assessments

SECTION 2. That said commissioners shall have power to increase the assessments made for county rates and levies for the year one thousand eight hundred and fifty-five, any sum not exceeding one mill on the dollar of the valuation of the property taxable for county purposes, for the purpose of defraying the expenses of the erection of the building mentioned in the first section of this act.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 25.

A FURTHER SUPPLEMENT

To the act incorporating the Wilkesbarre and Providence Plank Road Company.

Authorized to change road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Wilkesbarre and Providence plank road company be and are hereby authorized to change their plank road, or any part thereof, into a turnpike, so far as the same may be practicable, subject to all the provisions of the act of assembly approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, entitled "An Act regulating turnpike and plank road companies," except so much of section thirteen as regulates the rates of tolls upon sleds and sleighs, which shall be determined by said company as they may deem to the best interest of the same and the community at large.*

Tolls upon sleds and sleighs.

Authorized to surrender part of road

SECTION 2. That the company is hereby permitted to abandon or surrender to the borough of Pittston, that portion of the said road occupying the Main street, in the borough of Pittston, as lies between the heavy track of the railroad of the Pennsylvania coal company and the foundry of Jesse Williams, in said borough.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 26.

A SUPPLEMENT

To an act to authorize the Governor to incorporate the Newtown Square and Paoli Plank Road Company, approved the twenty-ninth day of January, one thousand eight hundred and fifty-three.

WHEREAS, In the construction of the Newtown Square and Paoli plank road, the managers, with the consent of the landholders, have varied in several places from the bed of the old road; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the parts of the old road leading from Newtown Square, in Delaware county, to the Bear tavern, in Chester county, which are supplied, or intended to be supplied by the Newtown Square and Paoli plank road, shall, from the opening of said road, or such parts thereof, be deemed and considered vacated.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 27.

AN ACT

To prevent the hunting of Deer with Dogs in the county of M'Kean.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, it shall be unlawful for any person or persons to run deer with dogs in the county of M'Kean. Any person who shall violate the provisions of this act, shall be deemed guilty of a misdemeanor, and be subject to a fine of not less than five dollars, or more than ten dollars, one-half to the use of the informer, and one-half to be paid into the county treasury, to be recovered as debts of like amount are*

now by law recoverable: *Provided*, That this act shall not be so construed as to prohibit the hunting or catching, with dogs, of deer that have been previously wounded.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 28.

SUPPLEMENT

To the act incorporating the Mercer and Shenango Plank Road Company, in Mercer county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever the stockholders of the Mercer and Shenango plank road company shall fail or have failed to elect their officers on the first Monday of November, as prescribed by the fourth section of the general plank road law, passed twenty-sixth January, one thousand eight hundred and forty-nine, the managers are hereby authorized to call a meeting of the stockholders, on giving twenty days' notice thereof, at such place as shall be fixed by them, for the purpose of choosing their officers for the ensuing year; and the officers so chosen shall have the same power and authority as though chosen on the said first Monday of November.

Election of officers.

SECTION 2. That the Mercer and Shenango plank road company is hereby empowered to borrow money, not exceeding in amount ten thousand dollars, and to issue their bonds in sums of not less than one hundred dollars each for the same, at such rates of interest, not exceeding seven per centum, and upon such terms as may be determined upon by the board of managers of said company.

May borrow money.

SECTION 3. That if any person or persons from whom the said Mercer and Shenango plank road company may, by their act of incorporation, be entitled to demand tolls at any of their gates erected by said company, shall, for the purpose of evading the payment of said tolls, open by force, injure or break down any toll-gate erected by said company, or force his or her way through the same, or pass through the same without payment of tolls, such person or persons shall be liable to pay a fine of not less than ten dollars, nor more than fifty dollars, to be recovered by action of debt before any justice of the peace, brought in the

Penalty for not paying toll

corporate name of said company: said fine shall be for the use of said company; and it shall also be lawful for the said company to sue for and recover the tolls such person or persons ought justly to pay.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The tenth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 29.

AN ACT

Changing the place of holding Elections in the Borough of Loretto, Cambria county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the qualified electors of the borough of Loretto, in the county of Cambria, shall hold their general and borough elections at the house now occupied as a public school house in said borough.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twelfth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 30.

AN ACT

To prohibit the Fishing with drag nets or seines in the harbor or bay of Presque Isle, in the county of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, it shall not be lawful for any person or persons to fish in any of the ponds, inlets, bays or other places where fish go to spawn, on or along the main shore in the harbor or bay of Presque Isle, in the county of Erie, with any seine, net, drag net or any other device calculated to draw the fish from said ponds, inlets or bays, in quantities; and any person or persons so offending, shall forfeit and pay the sum of twenty dollars for each and every such offence, one-half thereof to the complainant, and the other half to the commonwealth, to be sued for and collected as debts of like amount are by law recoverable: *Provided, That* nothing contained in this act shall be construed to prevent any person from fishing in any of the said ponds, inlets or bays, with a hook and line or spear.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 31.

A SUPPLEMENT

To an act, entitled "An act taxing Dogs."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* so much of an act taxing dogs, passed the twentieth day of April, Anno Domini one thousand eight hundred and fifty-four,

as relates to Armstrong, Clarion and Jefferson counties, be and the same is hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 32.

A N A C T

To exempt the Blairsville Female Seminary from taxation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the property devoted to and used exclusively for educational purposes of the Blairsville female seminary, in the borough of Blairsville, Indiana county, be and it is hereby exempted from all taxation, except for state purposes: Provided, That the valuation thereof, by assessment, do not exceed the sum of twenty thousand dollars.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 33.

AN ACT

To authorize the Town Council of the borough of Pottsville to release to the use of the Mount Carbon Railroad Company, a part of a certain street in said borough of Pottsville.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the town council of the borough of Pottsville, in the county of Schuylkill, be and they are hereby authorized to have Coal street, in Morris's addition to Pottsville, surveyed, laid out, graded and opened on the west side of the Mount Carbon railroad, to the width of twenty feet, on the original line of said Coal street, and that in consideration of the Mount Carbon railroad company changing the location of their railroad where the same may be necessary so as to accommodate the said twenty feet wide street, and building and keeping in repair a substantial stone wall to protect the same, the said town council are hereby authorized and empowered to release to the use of the said Mount Carbon railroad company, for their railroad, the remaining thirty feet in width of the east side of said Coal street.*

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 34.

AN ACT

To appoint Commissioners to run and mark the County Line between Bedford and Somerset.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That William M. Hall and John W. Lingenfelter, of the county of Bedford, and Henry L. Holbrook, of the county of Somerset, are hereby appointed commissioners, with authority to survey,*

Commissioners.

ascertain and mark the dividing line between the counties of Bedford and Somerset, from where the same crosses Big Wills creek to the Cambria county line.

SECTION 2. That it shall be the duty of the said commissioners, Duties. or any two of them, after having first taken and subscribed an oath or affirmation before a justice of the peace to perform the duties enjoined on them by this act with impartiality and fidelity, to go upon the ground and carefully survey, ascertain, mark and establish the dividing line which separates Bedford from Somerset county, between the points aforesaid, and that the said commissioners shall run and mark the said line, as the same was originally run; which said line, when so marked, shall be the boundary line dividing the said counties.

SECTION 3. That it shall be the duty of the said commissioners, Mark lines and make drafts. or any two of them, on or before the first day of December, one thousand eight hundred and fifty-five, to survey and mark said line upon the ground by distinct and permanent marks, wherever, and as often as the same crosses any public road or highway, and at other convenient distances on said line, and to make two drafts of the same, certified under their hands, with courses and distances plainly laid down, and as far as may be practicable, with the lines of the surveys or tracts of land through which the same may pass, laid down thereon, one of which they shall deposit in each of the prothonotaries' offices of the counties of Bedford and Somerset, as soon thereafter as practicable, which shall be considered as a public record.

SECTION 4. That the said commissioners shall receive, as a Pay of commissioners, &c compensation for their services, the sum of three dollars per day each, for and during the time they shall be actually engaged in the discharge of their duties; and the said commissioners shall have authority to appoint two chain-carriers and other necessary assistants, and to incur any other expenses that may be necessary to carry out the intention of this act; said assistants shall receive for their services a daily pay to be fixed by said commissioners, not exceeding the sum of two dollars per day each, while actually engaged on said survey; and all the aforesaid expenses shall be paid in equal proportions by the said counties, through their county commissioners, by warrants drawn on the treasurers of their respective counties.

SECTION 5. That in case any of the above named commissioners should refuse to serve, or in the event of his sickness or Vacancies, how filled. death, the remaining two shall select a suitable person, a resident of the same county in which the person resided who caused the vacancy, as commissioner, and if two or more vacancies shall occur from the same cause, the governor is hereby authorized to appoint commissioners to discharge the duties prescribed by this act.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 35.

AN ACT

To authorize the opening of Franklin street, from Parrish to Poplar, in the county of Philadelphia, and to assess the damage upon the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the court of quarter sessions for the city and county of Philadelphia, on application of any citizen or citizens, shall appoint a jury of six disinterested persons to assess the damages, if any, which may be sustained by any owner or owners of premises through which Franklin street, from Parrish to Poplar streets, in said city, is ordered to be opened, and on the report of the said jury, the same shall be confirmed by the said court, and the damages which shall be assessed, if any, paid as in other cases: *Provided*, That public notice of the time and place of meeting of the said jury shall be made by publication in such one or more newspapers, as the court shall direct, and that if any damages shall be assessed by the jury so as aforesaid to be appointed, in respect to any premises, the owner or owners of which are unknown, the damages so assessed shall remain in the city treasury until due proof shall be made to the satisfaction of the court, of the right of any person or persons to such damages, when the same may be ordered to be paid: *And Provided further*, That the said street may be directed to be opened by the said court, upon proper security being given for a retention in the city treasury of any damages which so aforesaid may be assessed by said jury, in respect to premises, the owner or owners of which may be unknown.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 36.

A N A C T

To extend the time of commencing and completing the Andalusia and Hulmeville Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time of commencement and completion of the Andalusia and Hulmeville turnpike road company, be and the same is hereby extended for the period of five years after the time now allowed for the commencement and completion thereof; and said company shall have power to collect tolls upon the same as soon as two miles shall have been completed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 37.

A N A C T

To alter an act authorizing the incorporation of the Plymouth and Upper Dublin Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the grade of the Plymouth and Upper Dublin turnpike road, instead of being limited so as not to exceed three degrees variation from a horizontal line, as directed by the law authorizing the incorporation of said company, may be made so as not to exceed four degrees from a horizontal line. Grade of road.

SECTION 2. That the following part of the fourth section of the act authorizing the incorporation of said company, in words following, to wit: "Except between Plymouth and the Broad-axe, on which they shall follow the present road, being the Repeal of part of 4th section.

dividing line between the townships of Plymouth, Whitpain and Whitemarsh," be and the same is hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 38.

A SUPPLEMENT

To the act concerning Roads and Highways in the county of Crawford, passed March second, Anno Domini one thousand eight hundred and fifty-four.

Commissioners to divide townships into road districts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the commissioners of Crawford county to divide the several townships in said county into road districts, as required by the first section of an act concerning roads and highways in the county of Crawford, passed the second day of March, Anno Domini one thousand eight hundred and fifty-four, without any reference to sub-school districts.

Election of supervisors.

SECTION 2. That the qualified electors in each township in said county shall, at the next township election, elect two supervisors to serve two years, two to serve one year, and that every year thereafter two shall be elected, to serve two years.

To levy tax

SECTION 3. That it shall be lawful for the supervisors of the several townships, after having laid one-half per cent. on every dollar of the adjusted valuation, as directed by the fourth section of the act aforesaid, to levy the additional half per cent., or any part thereof, and collect the same in money.

Sub-road districts.

SECTION 4. That it shall be lawful for the supervisors to divide their respective townships into sub-road districts, and shall have power at any time to alter the same.

Repeal.

SECTION 5. That so much of the aforesaid act as is inconsistent with this act, is hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourteenth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 39.

A FURTHER SUPPLEMENT

To the act Consolidating the Lackawanna and Western, and the Delaware and Cobb's Gap Railroad Companies, approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to the authority granted to the Delaware and Cobb's Gap railroad company to issue bonds and certificates of loan, the Delaware, Lackawanna and Western railroad company are hereby authorized to issue further bonds or certificates, to an amount not exceeding six hundred thousand dollars, upon the same conditions and of the same character as the bonds or certificates thus authorized to be issued by the Delaware and Cobb's Gap railroad company, and to secure both under one general and common mortgage, as provided by the third section of the act to which this is a further supplement ; and that so much of the supplement to the act incorporating the Ligget's Gap railroad company, passed the twenty-fourth day of March, one thousand eight hundred and fifty-one, as authorizes the issue of preferred capital stock, be and the same is hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The sixteenth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK

No. 40.

A SUPPLEMENT

To an act, entitled "An Act to Charter the Girard Life Insurance, Annuity and Trust Company, of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the rights, powers and authorities of an act, entitled "A further supplement to an act, entitled 'An Act to incorporate the Pennsylvania company for insurance on lives and granting annuities,' passed the tenth day of March, one thousand eight hundred and

twelve," passed the twenty-sixth day of March, one thousand eight hundred and fifty-three, be and the same are hereby extended to and conferred upon the Girard life insurance, annuity and trust company, of Philadelphia.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The sixteenth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 41.

AN ACT

To authorize the Auditors of Somerset county to re-audit the accounts of John A. Snyder, late Treasurer of said county.

WHEREAS, It is alleged that John A. Snyder, late treasurer of Somerset county, is charged in the settlement of his accounts with the receipt of state taxes that never came into his hands, and that this error has been recently discovered; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the county auditors of the county of Somerset, be and are hereby required, on or before the first day of August next, to open and re-audit the accounts of the said John A. Snyder, treasurer as aforesaid, for the years one thousand eight hundred and fifty-one and fifty-two, and so to correct the same as to do justice to the said John A. Snyder: Provided however, That all parties interested shall have the same right of appeal, as if there had not been a previous audit: And provided further, That this act shall not affect in any way the account of any treasurer of said county, as settled in the accounting department of the commonwealth, or the liability of any such treasurer to pay any balance which may appear against him in said department.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 42.

AN ACT

Relative to Taxes in the borough of Coudersport, county of Potter.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Coudersport, in the county of Potter, shall hereafter have authority to levy a tax on the assessed valuation of property therein for borough purposes, in any amount not exceeding one and one-half per cent. on the dollar of such assessed valuation.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 43.

AN ACT

To incorporate the Tunkhannock Creek Plank Road or Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Daniel Searle, Orrin Halstead, R. S. Searle, Michael Sisk, Joseph Spalding, Abel Thurber and E. N. Lord, or any three of them, be and they are hereby appointed commissioners, to open books, receive subscriptions and organize a company by the name, style and title of the “Tunkhannock Creek plank road or turnpike road company,” with power to construct a plank road or a turnpike road from the Delaware, Lackawanna and Western railroad, in the county of Wyoming, commencing at the Tunkhannock depot, thence by the best route or routes the stockholders may determine upon, passing near Turbell lake to the State road leading from Dimock to Hopbottom, near E. A. Vails; subject to the restrictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, one thousand

Commissioners

Style

Subject to the provisions of certain acts.

eight hundred and forty-nine, and the several supplements thereto, so far as they are consistent with this act.

Capital stock.

SECTION 2. That the capital stock of said company shall consist of two hundred and fifty shares, of twenty-five dollars each, with power to increase their capital stock to eight hundred shares of like amount.

Commencement
and completion of
road.

SECTION 3. That said company shall have a right to construct their road upon any of the public roads between the points specified or bridge or bridges that may be on said route or road; and if they shall not commence the construction of their road within three years after the passage of this act, and finish the same within five years, then this act to be null and void, except so far as it shall be necessary to wind up the affairs of said company.

Tolls.

SECTION 4. That the said company shall have power to erect and set up gate or gates, and to levy and collect tolls from persons using said road, at the rates prescribed in the act regulating turnpike and plank road companies, already referred to, without further license, so soon as they shall have completed two miles of said road.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventeenth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 44.

AN ACT

To incorporate the Blue Mountain Turnpike Company.

Commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jacob Neweommet, Peter Snyder, Jacob Snyder, Daniel Snyder, Martin Mayer, Frederick Harner, Isaac Gerhart, Jacob Wagner, Jacob Bardner, Sr., Jacob Kurr, John Kurr, H. Shubart, Peter Lutz, of Bethel, Berks county; Peter Leban, Henry Brobst, Valentine Brobst, Jacob Riehl, Frederick Shultz, of Tulpehocken, Berks county; Eli Walborn, John Albert, of Bethel, Lebanon county; Ernest Klinest, William Mortimer, Jr., William Brieitenbach, Joseph W. Cake, Henry Sailor, Peter Schwartz, of Schuylkill county, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Blue Mountain turnpike company, with all the powers, and subject

Style.

to all the provisions and restrictions prescribed by an act, entitled "An act regulating turnpike and plank road companies," approved the twenty-sixth of January, one thousand eight hundred and forty-nine, and the supplements thereto. Subject to the provisions of certain acts.

SECTION 2. That the capital stock of said company shall consist of four hundred shares, of twenty dollars each: *Provided*, Said company may from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase the capital stock so much as may be necessary to complete said road, and to carry out the true intent and meaning of this act. Capital stock.

SECTION 3. That said company shall have power and authority to construct a turnpike, beginning near Shubart's mill, in the county of Berks, and thence across the Blue mountain, to intersect at a convenient place the Susquehanna and Auburn railroad, in the neighborhood of Swartz's saw mill, in Schuylkill county, a distance of about five miles. Route.

SECTION 4. That if said company shall not commence the construction of said road within three years, and complete it in five years, from the passage of this act, the same shall be null and void, except so far as the same may be necessary to settle up the affairs and pay the debts of said company. Commencement and completion.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The nineteenth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 45.

AN ACT

To appoint Commissioners to lay out a State Road from the Diamond, in Perryopolis, in Fayette county, to the store of Joseph Snyder, on the Mount Pleasant and Bellvernon State Road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Samuel M'Ginnis and William Bradman, of Fayette county, be and they are hereby appointed commissioners to view and lay out a state road from the diamond, in Perryopolis, in Fayette county, to the store house of Joseph Snyder, in Westmoreland county, on the state road leading from Mount Pleasant, in Westmoreland county, to Bellvernon, Fayette county, to cross the Youghiogheny river at Layton's ferry. Commissioners
Route.

SECTION 2. That it shall be the duty of said commissioners, after taking and subscribing an oath or affirmation before some Commissioners to be sworn.

qualified officer of the peace to perform the duties enjoined on them by this act with fidelity and impartiality, to carefully view the ground over which the said road may pass, and lay out the same as near to a straight line from point to point as the nature of the ground will permit, doing as little damage to private property as practicable, and so that the vertical departure from a horizontal line shall at no place exceed five degrees.

Duties of commissioners.

SECTION 3. That it shall be the duty of the said commissioners plainly to mark the ground on the route agreed upon for the road aforesaid, in such manner as to enable the supervisors readily to find the same, and for the purpose of fulfilling the duties by this act enjoined, the said commissioners are hereby authorized to employ one competent surveyor at a per diem allowance of two dollars, and two chain carriers and one axeman, at a per diem allowance not exceeding one dollar; and the said commissioners respectively shall receive a per diem allowance of one dollar and fifty cents for each and every day necessarily spent in the discharge of the duties enjoined by this act, to be paid in the manner and form hereinafter directed.

Compensation.

Drafts to be made out and filed.

SECTION 4. That the said commissioners shall proceed to view and lay out said road about the middle of May, Anno Domini one thousand eight hundred and fifty-five, and make out a fair draft of the location of said road, noting thereon the courses and distances as they occur, the improvements passed through, and also the crossing of county and township lines, roads and waters, one copy whereof to be deposited in the office of the secretary of the commonwealth as soon as the survey and draft are completed, and one copy in the offices of the clerks of the courts of the respective counties in which said road may be laid out as aforesaid, and said road shall to all intents and purposes be a public highway, and shall be opened to the breadth, and repaired in all respects as roads are opened and repaired which are laid out by order of the courts aforesaid.

Expenses, how paid.

SECTION 5. That the account of said commissioners for their own pay, and the pay of their surveyor, chain-carriers, axemen, et cetera, shall be made out and returned to the commissioners of such counties in which said road may be laid out, in proportion to the time spent in the respective counties, in locating said road, and that they be paid out of the treasury of each of the respective counties, on warrants drawn in the usual way.

Vacancies, how filled.

SECTION 6. That in case any vacancy in said board of commissioners should occur by resignation or otherwise, it shall be filled by the judges of the court of quarter sessions of the county in which said person or persons causing said vacancy shall have resided.

Duties of supervisors.

SECTION 7. That it shall be the duty of the supervisors of the several townships through which said road shall pass, upon notice given, to proceed at once and open and make the said road as other roads are made.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The nineteenth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 46.

AN ACT

To incorporate the Springfield Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Geo. Smith, Joel Evans, James Rhoads, Oborn Levis, Jr., Samuel Johnson, Randal Bishop, Joel Bishop, Oborn Levis, George B. Allen, George F. Snyder, E. R. Curtis, John Miller, Joseph M. Worrell, or any five of them, be and they are hereby appointed Commissioners to open books, receive subscriptions and organize a company, by the name, style and title of "The Springfield plank road company," with power to construct a plank road over and upon the bed of the road known as the Springfield road, from the point where the same is intersected by the Delaware County turnpike road, in the township of Upper Darby, to the store of Ebenezer R. Curtis, in the township of Marple, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto, except as is hereinafter provided. Commissioners
Style.
Subject to the provisions of a certain act.

SECTION 2. That the capital stock of said company shall consist of two hundred shares, of fifty dollars each: *Provided,* That the said company, when organized, may at any time increase their capital stock by a vote of not less than a majority of the whole number of stockholders, so much as in their opinion may be necessary to complete the road, either with a single or double track, and according to the true intent and meaning of this act. Capital stock
Proviso

SECTION 3. That if the said company shall not commence the construction of said road within three years after the passage of this act, and complete the same within two years thereafter, this act shall be null and void, except so far as the same may be necessary to wind up the affairs of the company. Commencement and completion of road.

SECTION 4. That the said company shall have authority to vary their road from the bed of the said Springfield road, with the view of straightening the same, or of diminishing the expense of grading hills: *Provided,* That said variation shall in no case exceed one hundred yards from the present bed of said road, and in all cases shall require the written consent of the owners, or the legal representatives of the owners, of the lands through which the said variation is proposed to be made, and any part of said road so varied from shall be vacated from and after the opening of the said plank road for use. Route.

SECTION 5. That whenever the said company shall have finished one mile or more of said road, they shall have power to erect gates and collect tolls, agreeably to the conditions and restrictions of the said act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine. Toll gates

SECTION 6. That in case the interests of the company would be promoted by constructing a portion of their road with stone Road may be made of stone

or other hard material, the managers shall so construct the same, subject to the provisions of the act cited in the preceding section of this act.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The nineteenth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 47.

AN ACT

Exempting certain property given and devised to the Orphan Asylum of Pittsburgh and Allegheny, from the payment of the Collateral Inheritance Tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the estate of the late Doctor Thomas Hartford, of Allegheny county, as was given and devised to the Orphan Asylum of Pittsburgh and Allegheny, be and the same is hereby released from the payment of the collateral inheritance tax payable to the commonwealth.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 48.

A N A C T

Appointing a place to hold the Elections in Moon township, Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, the elections in Moon township, Allegheny county, shall be held at school house number four, of said township.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 49.

A N A C T

To confirm the title of Reverend John Sisty, to certain Real Estate in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* nothing in any statute of mortmain, or in any other statute or law of this commonwealth, relating to corporations, shall be held or deemed to impair, or in any wise to affect, the title of the said John Sisty; and that all claims which this commonwealth has had heretofore, or now may have, by reason of said statutes, against “all that lot or piece of ground with the brick messuage or tenement thereon erected, situate on the west side of Delaware Front street, and south of Market street, number ten, being about seventeen feet and a half in front on Front street, and one hundred feet in depth, with the privilege of an alley two feet four inches wide, leading into Front street, bounded on the north by a house and lot now or late of Thomas Bradford, on the west by the back end of Letitia court lots, on the south by a house and lot now or late of William White, and on the east

by Front street aforesaid," are by this act fully released to the said John Sisty, his heirs and assigns forever.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-third day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 50.

AN ACT

To incorporate the Farmers' High School of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That there be and is hereby erected and established, at the place which shall be designated by the authority and as hereinafter provided, an institution for the education of youth in the various branches of science, learning and practical agriculture, as they are connected with each other, by the name, style and title of the Farmers' High School of Pennsylvania.

Title.

Board of directors.

SECTION 2. That the said institution shall be under the management and government of a board of trustees, of whom there shall be thirteen, and seven of whom shall be a quorum, competent to perform the duties hereinafter authorized and required.

Trustees ex-officio.

SECTION 3. That the governor, secretary of the commonwealth, the president of the Pennsylvania state agricultural society, and the principal of the institution, shall each be ex-officio a member of the board of trustees, and they with Doctor Alfred L. Elwyn and Algernon S. Roberts, of the city of Philadelphia, H. N. M'Allister, of the county of Centre, R. C. Walke, of the county of Allegheny, James Miles, of the county of Erie, John Strohm, of the county of Lancaster, A. O. Hiester, of the county of Dauphin, William Jessup, of the county of Susquehanna, and Frederick Watts, of the county of Cumberland, shall constitute the first board of trustees; which said trustees, and their successors in office, are hereby erected and declared to be a body politic and corporate in law, with perpetual succession, by the name, style and title of the Farmers' High School of Pennsylvania, by which name and title the said trustees, and their successors, shall be able and capable in law to take by gift, grant, sale or conveyance, by bequest, devise or otherwise, any estate in any lands, tenements and hereditaments, goods, chattels or effects, and at pleasure to alien or otherwise dispose of the same

First board of trustees.

Corporate title.

to and for the uses and purposes of the said institution: *Provided* Proviso. *however,* That the annual income of the said estate, so held, shall at no time exceed twenty-five thousand dollars; and the said corporation shall by the same name have power to sue and be sued, and generally to do and transact all and every business touching or concerning the premises, or which shall be necessarily incidental thereto, and to hold, enjoy and exercise all such powers, authorities and jurisdiction as are customary in the colleges within this commonwealth.

SECTION 4. That the same trustees shall cause to be made a Seal. seal, with such devices as they may think proper, and by and with which all the deeds, diplomas, certificates and acts of the institution shall be authenticated, and they may at their pleasure alter the same.

SECTION 5. That at the first meeting of the board of trustees, the nine named who are not ex-officio members, shall by themselves and by lot be divided into three classes, of three each, Classification of trustees. numbered one, two and three; the appointment hereby made of class number one shall terminate on the first Monday of October, one thousand eight hundred and fifty-six, number two on the first Monday of October, one thousand eight hundred and fifty-seven, and number three on the first Monday of October, one thousand eight hundred and fifty-eight; and upon the termination of the office of such directors, to wit: on the first Monday of October in every year, an election shall be held at the Election of trustees. institution to supply their place, and such election shall be determined by the votes of the members of the executive committee of the Pennsylvania State agricultural society, and the votes of three representatives duly chosen by each county agricultural society in this commonwealth, which shall have been organized at least three months preceding the time of election, and it shall be the duty of the said board of trustees to appoint two of their number as judges to hold the said election, to receive and count the votes, and return the same to the board of trustees, with their certificate of the number of votes cast, and for whom, whereupon the said board shall determine who have received the highest number of votes, and who are thereby elected.

SECTION 6 That on the second Thursday of June after the Organization. passage of this act, the board of trustees who are hereby appointed, shall meet at Harrisburg, and proceed to the organization of the institution, and selection of the most eligible site within the commonwealth of Pennsylvania for its location, where they shall purchase or obtain by gift, grant or otherwise, a tract of land containing at least two hundred acres, and not exceeding May hold land. two thousand acres, upon which they shall procure such improvements and alterations to be made, as will make it an institution properly adapted to the instruction of youth in the art of farming, according to the meaning and design of this act; they shall select and choose a principal for the said institution, who with such scientific attainments and capacity, to teach as the board shall deem necessary, shall be a good practical farmer; he with such other persons as shall from time to time be employed as teachers, shall compose the faculty, under whose control the immediate management of the institution, and the instruction of all the youth committed to its care, shall be subject Meetings of trustees. however, to the revision and all orders of the board of trustees; there shall be a quarterly meeting of the board of trustees at the institution, and as much oftener as shall be necessary and they

Secretary.

shall determine; the board shall have power to pass all such by-laws, ordinances and rules as the good government of the institution shall require, and therein to prescribe what shall be taught to and what labor performed by the pupils, and generally to do and perform all such administrative acts as are usually performed by and within the appropriate duty of a board of trustees, and shall by a secretary of their appointment, keep a minute of the proceedings and action of the board.

Professors to be selected.

SECTION 7. That it shall be the duty of the board of trustees, as soon and as often as the exigencies of the institution shall require, in addition to the principal, to employ such other professors, teachers or tutors, as shall be qualified to impart to pupils under their charge a knowledge of the English language, grammar, geography, history, mathematics, chemistry and such other branches of the natural and exact sciences as will conduce to the proper education of a farmer; the pupils shall themselves, at such proper times and seasons as shall be prescribed by the board of trustees, perform all the labor necessary in the cultivation of the farm, and shall thus be instructed and taught all things necessary to be known by a farmer, it being the design and intention of this act to establish an institution in which youth may be so educated as to fit them for the occupation of a farmer.

Election of treasurer.

SECTION 8. That the board of trustees shall annually elect a treasurer, who shall receive and disburse the funds of the institution, and perform such other duties as shall be required of him, and from whom they shall take such security for the faithful performance of his duty as necessity shall require; and it shall be the duty of the said board of trustees, annually, on or before the first of December, to make out a full and detailed account of the operations of the institution for the preceding year, and an account of all its receipts and disbursements, and report the same to the Pennsylvania State agricultural society, who shall embody said report in the annual report which by existing laws the said society is bound to make and transmit to the legislature, on or before the first Monday of January, of each and every year.

Pennsylvania State Agricultural society may appropriate money.

SECTION 9. That it shall be lawful for the Pennsylvania State agricultural society to appropriate out of their funds to the object of this act, a sum not exceeding ten thousand dollars, whenever the same shall be required, and to make such further appropriation, annually, out of their funds, as will aid in the prosecution of this object, and it shall be the duty and privilege of the said society, at such times as they shall deem expedient by their committees, officers or otherwise, to visit the said institution and examine into the details of its management.

Repeal of certain act.

SECTION 10. That the act to incorporate the Farmers' High School of Pennsylvania, approved the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-four, be and the same is hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED--The twenty-second day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 51.

AN ACT

To incorporate the Newtown Square and Street Road Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Ezra Thomas, Joshua Evans, Edward P. Needles, Lorenzo Beck, ^{Cotamissioners.} William Taylor, Everett G. Passmore, George Eppright, Hiram Green, Robert F. Davis, John Jones, David Evans, Aaron Garrett, Ellwood Smedley, William Smedley, Levi Garrett, Abram H. Hall, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company with the name, style and title of the Newtown Square ^{Style.} and Street Road plank road company, with power to construct a plank road, with one or more tracks, from the terminus of the West Chester and Philadelphia plank road, at Newtown Square, in Newtown township, Delaware county, to the Street road, in Willistown township, Chester county, upon the bed of the old road, with power to vary the track, with the consent of the owners of the land through which the road may pass: *Provided,* ^{Proviso.} That said company shall be subject to all the provisions and restrictions of the act regulating turnpike and plank road companies, passed twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto, so far as the same are not inconsistent with this act.

SECTION 2. That the capital stock of said company shall consist of one thousand four hundred shares, at twenty-five dollars each: *Provided,* That said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase the capital stock so much as may in their opinion be necessary to carry out the true intent and meaning of this act. ^{Capital stock.}

SECTION 3. That whenever said company shall have finished one mile or more of said road, they shall have power to erect gates and receive tolls, agreeably to the provisions and restrictions of sections twelfth and thirteenth of the aforesaid act. ^{Toll gates.}

SECTION 4. That if the said company shall not commence the construction of said road within two years from the passage of this act, and complete the same within five years, this act shall be null and void, except so far as may be necessary to wind up the affairs and pay the debts of the said company. ^{Commencement and completion of road.}

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-third day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 52.

AN ACT

Declaring a certain Bridge heretofore erected over the West Branch of the Octorara creek, in Lancaster county, to be a County Bridge.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the bridge heretofore erected across the West Branch of the Octorara creek, in Lancaster county, where the road leading from Oak Hill to Spruce Grove mills crosses the said creek, be and is hereby declared to be a county bridge, with the like effect as if the same had originally been a county bridge; and the commissioners of Lancaster county are hereby authorized and directed to re-build the same.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-third day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 53.

AN ACT

To authorize the Dissolution of the Corporation, entitled "The Pennsylvania Steam Ship Company."

Preamble.

WHEREAS, The stockholders of "The Pennsylvania steam ship company," incorporated by an act of the general assembly of this commonwealth, passed on the tenth day of February, one thousand eight hundred and fifty-one, did at their annual meeting, held on the nineteenth day of January, one thousand eight hundred and fifty-three, authorize and instruct the board of managers to wind up the affairs of the company, with as little delay as its interests might require, and pay to the stockholders such dividend as might arise from any balance of funds left after such liquidation; and the said stockholders did afterwards unanimously agree in writing, as follows, to wit: "The undersigned, holders of stock in the Pennsylvania steam ship company, authorize and empower the board of managers to wind up

its affairs, in conformity with the resolution adopted at the annual meeting of stockholders, held January nineteenth, one thousand eight hundred and fifty-three:"

And whereas, By another instrument of writing, dated the sixteenth day of October, one thousand eight hundred and fifty-four, and executed by all the stockholders of the said company, reciting that the board of managers of the said corporation had, in pursuance of the said resolution, wound up the affairs of the company, so far as the same could be effectually done at that time, and were prepared to divide among the stockholders the amount of assets in the hands of the treasurer, reserving, however, a sufficient sum to pay certain possible claims and contingent expenses; and reciting also that the managers aforesaid, were advised that the corporation could not legally be dissolved without the authority of an act of the legislature, but were willing to make an immediate division of the said fund among the stockholders, on receiving a sufficient guaranty and indemnity for so doing, the said stockholders did thereby acknowledge to have received their respective shares and proportions of the balance in the hands of treasurer, of the assets or funds of the corporation, and did thereby assign their respective shares of the stock of the said corporation, and all their interest in the property thereof, to Charles S. Boker and others therein named, in trust to hold the same until the passage of an act of the legislature, consenting to or authorizing the dissolution of the corporation, or the winding up thereof, under the direction of a court, and thereafter to cancel the said certificates, and execute such instrument of surrender and release, for the more effectual dissolution of the said corporation as may be advised by the counsel thereof.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall and may be lawful for the managers or trustees of the Pennsylvania steam ship company, to apply by petition to the court of common pleas for the city and county of Philadelphia, setting forth the facts stated in the preamble to this act, and praying for the relief hereby provided; whereupon the said court, upon due proof being made of the truth of the facts so stated, shall have jurisdiction and power to make a decree for the dissolution of the said corporation; and such decree having been made and entered upon the records of the said court, the said corporation shall thereupon, and thereafter, be dissolved and terminated, and the members of the said corporation shall be and remain forever thereafter, discharged and released from all duties and responsibilities as such, and shall no longer possess or enjoy any of the franchises, privileges or powers granted and conferred by the act of incorporation of the said company, passed on the tenth day of February, one thousand eight hundred and fifty-one.

Court of common
pleas to dissolve
company.

SECTION 2. *Provided however*, That before making any decree of dissolution as aforesaid, the court shall be satisfied that all debts due by the said corporation have been fully paid and satisfied, and that all claims upon the same have been extinguished, and for that purpose the said court shall appoint an auditor, or master in equity, to inquire and report upon the facts necessary to a proper decision of the question, and shall direct such notice to be given to creditors and others, by advertisements or otherwise, as may be proper and expedient for the purpose, and upon

Provide.

the report of such auditor, if it shall appear to the court that all the claims established against the said corporation have been paid and fully satisfied, as well as the cost and charges of the proceedings necessary in the case, they shall direct that the balance of moneys in the hands of the treasurer of said company, be paid to the stockholders, in proportion to their respective interest in said corporation; and upon satisfactory proof being exhibited to the court of the payment as aforesaid, to said stockholders, the court shall have power to make a decree, exonerating and discharging the said managers, and trustees, and other officers of said corporation, from all and any responsibility and liability in respect to the said moneys, so paid to the said stockholders and others.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-third day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 54.

AN ACT

Relative to Elections in Cherry Hill and Green townships, Indiana county.

Elections in Cherry Hill township, Indiana county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the qualified voters of Cherry Hill township, Indiana county, shall hold their general and spring elections at the house of Isaac Empfield, in the village of Greenville, in said township; and that Samuel H. Johnston shall act as judge, and John D. Hays and Patrick Lydich shall act as inspectors of said elections, or until others are chosen; and that the first spring election shall be held on the third Friday of March next.

Elections in Green township, Indiana county.

SECTION 2. That the qualified voters of Green township, Indiana county, shall hereafter hold their general and township elections at the school house number twelve, in said township; and that hereafter the time for holding the spring election shall be on the third Friday of March, in each and every year; and that John Butterbaugh shall act as judge, and John Mummau and Thomas T. Allison shall act as inspectors at the first election.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 55.

AN ACT

To prevent the Sale of Intoxicating Liquors on the First Day of the Week, commonly called Sunday.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first day of April next, it shall not be lawful for any person or persons, to sell, trade or barter in any spirituous or malt liquors, wine or cider, on the first day of the week, commonly called Sunday; or for the keeper or keepers of any hotel, inn, tavern, ale house, beer house, or other public house or place, knowingly to allow or permit any spirituous or malt liquors, wine or cider, to be drank on or within the premises or house occupied or kept by such keeper or keepers, his, her or their agents or servants, on the said first day of the week.

Sale of Liquors
prohibited on
Sunday.

SECTION 2. That any person or persons, violating the provisions of the foregoing section, shall for each and every offence, forfeit and pay the sum of fifty dollars, one-half of which shall be paid to the prosecutor, and the other half to the guardians of the poor of the city or county in which suit is brought, or in counties having no guardians of the poor, then to the overseers of the poor of the township, ward or borough in which the offence was committed; to be recovered before any mayor, alderman, burgess or justice of the peace, as debts of like amount are now by law recoverable, in any action of debt brought in the name of the commonwealth, as well for the use of the guardians of the poor, (or for the overseers of the poor, of the township ward or borough, as the case may be,) as for the person suing: *Provided*, That when any prosecutor is himself a witness, on any trial under the provisions of this section, then the whole penalty or forfeiture shall be paid to the guardians or overseers as aforesaid: *And provided further*, That it shall be a misdemeanor in office, for any such mayor, alderman, burgess or justice of the peace, to neglect to render to the said guardians of the poor and prosecutor the amount of such penalty, within ten days from the payment of the same.

Penalty.

Penalty, how re-
covered.

Proviso.

SECTION 3. That in addition to the civil penalties imposed by the last preceding section, for a violation of the provisions of the first section of this act, every person who shall violate the provisions of that section, shall be taken and deemed to have committed a misdemeanor, and shall on conviction thereof, in any criminal court in this commonwealth, be fined in any sum not less than ten, nor more than one hundred dollars, and be imprisoned in the county jail for a period not less than ten, nor more than sixty days, at the discretion of the court.

Penalty on con-
viction in court.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 56.

AN ACT

To confirm certain Proceedings and Sheriff's Sale, in case of Logan against Smith.

WHEREAS, By virtue of the tenth and following sections of an act of assembly, passed the twenty-seventh day of February, one thousand eight hundred and fifty-two, entitled "An Act relative to the district of Richmond," &c., the qualified voters of part of the late townships of North Penn and unincorporated Northern Liberties, in the present city of Philadelphia, were authorized to elect commissioners for the purpose of taking charge of the side walks therein, and causing them to be paved, and to file liens against property in said townships therefor:

And whereas, A lien was filed under the provisions of said act, by Gustavus G. Logan and others, against Margaret Smith and others, in the district court for the city and county of Philadelphia, to December term, one thousand eight hundred and fifty-three, number sixty-three, on which a *scire facias* has been issued, out of the same court, to March term, one thousand eight hundred and fifty-four, number one hundred and nineteen, and judgment thereon obtained, and a *levari facias* issued thereon, and a sheriff's sale made of the premises, in said lien and proceedings described:

And whereas, The title or authority under which said plaintiffs acted, is not expressed in said lien or said proceedings, and doubts have been expressed as to their regularity, and the effect on the sheriff's title by reason thereof; now, therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the said lien, *scire facias* and proceedings thereon, and the sheriff's title acquired thereunder, shall be held, taken and deemed as valid and regular, and as effectual to pass the title by any sheriff's sale made thereunder, as though said lien, *scire facias* and proceedings had fully and accurately set forth the title and authority of said plaintiffs, as commissioners as aforesaid, and that upon application to said court, and due proof made thereof, the said court shall have power, so to amend, as to indicate the representative character of the said plaintiffs therein.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 57.

AN ACT

Relative to the Anderson Library, of the city of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the select and common councils of the city of Allegheny, be and they are hereby authorized to take possession of the Anderson library, of said city, and manage and conduct the same, by prescribing such rules and regulations, by an ordinance or ordinances passed for that purpose, and the appointment of such officers, committees or trustees, as they may deem proper, to promote the objects of the founder or founders of the said library; and so much of the act passed the fourteenth day of April, one thousand eight hundred and fifty-one, as incorporates the Anderson library association, be and the same is hereby repealed: *Provided*, That this act shall not take effect until it shall have been assented to, at a meeting of the life members of said association, called for the purpose, of which ten days' notice shall be given, either by personal service or by publication, in at least one newspaper published in the city of Allegheny or the city of Pittsburg.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 58.

AN ACT

For the Protection of Fruit in Warren, Venango, Mercer, Crawford and other counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the first and second sections of the act for the protection of

fruit in certain counties of this commonwealth, approved the thirteenth day of April, one thousand eight hundred and fifty-three, be and the same is hereby extended to the counties of Warren, Venango, Mercer, Crawford, Lancaster, Berks, Tioga, Fulton, Westmoreland, Washington, Bradford and Montgomery.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 59.

AN ACT

To incorporate the Hereford Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Samuel D. Heil, David G. Clemmer, George Clemmer, Joseph Schultz, Thomas Schultz, Samuel Treichler, Jr., Samuel G. Clemmer, Christian Clemmer, John Knetz, Joseph B. Bechtel, Henry Schell, C. K. Schultz, Benjamin D. Long, Richard F. Smith, Daniel S. Shultz, John H. Adam, Christian Eshbach, Andrew K. Schultz, Jeremiah Schultz, Abraham Ehst, Henry Eshbach, Andrew Schultz and Joal Y. Schelley, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of “The Hereford turnpike road company,” with power to construct a clay or stone turnpike or plank road, from Hereford post office, at the terminus of the Green Lane and Goschenhoppen turnpike road, in Hereford township, Berks county, by the nearest and best route, via. the residence of Samuel D. Heil, to the village of Clayton, in the township aforesaid, subject to the provisions and restrictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto.

Commissioners.

Style.

Route

Subject to the provisions of certain acts.

Capital stock.

Commencement and completion.

SECTION 2. That the capital stock of the said company shall consist of sixty shares, of fifty dollars each, and by a vote of the stockholders, at a meeting called for the purpose, may be increased to a hundred shares, if the same shall be deemed necessary to carry into effect the true intent and meaning of this act.

SECTION 3. That if said corporation shall not commence the construction of said road within two years, and complete the

same within five years from the passage of this act, the same shall be null and void, except so far as the same shall be necessary to wind up the affairs and pay the debts of the company: *Provided*, That when two or more miles of said road shall be completed and approved of, as is provided by the said general act, and the supplement thereto, the said corporation shall be authorized to take toll therefor. Proviso.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 60.

A N A C T

Appointing Commissioners and authorizing them to lay out a certain Road in Cumberland and York counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John B. Coover, Abram Lamberton, of Cumberland county, and Jacob Cocklin, of York county, be and they are hereby appointed commissioners to view and lay out a state road from a point in York county, near the south end of the bridge over the Yellow Breeches creek, near John Brougher's mill, on the state road leading from Kelso's ferry, in Cumberland county, through York and Adams counties, to the Maryland line, by way of Coover's mill, to intersect the said state road near the residence of George Rupp, in the county of Cumberland. Commissioners.
Route.

SECTION 2. That it shall be the duty of the said board of commissioners, or a majority of them, after taking and subscribing an oath or affirmation before a justice of the peace, to perform the duties enjoined upon them by this act, with fidelity and impartiality, to carefully view the ground over which the said road may pass, and lay out the same to the width of forty feet, as near to a straight line from point to point, as the nature of the ground will permit, at an elevation of not more than four degrees from a horizontal line; and they are hereby authorized to vacate any road or part of a road leading in the same direction, laid out by order of the courts of quarter sessions of the respective counties, which in their opinion may be supplied by the same. Commissioners to be sworn.
May vacate other roads.

Compensation.

SECTION 3. That it shall be the duty of the said commissioners plainly to mark upon the ground the route agreed upon for the road aforesaid, in such manner as to enable the supervisors readily to find the same; and for the purpose of fulfilling the duties prescribed by this act, the said commissioners are hereby authorized to employ a surveyor, at a per diem allowance not exceeding four dollars, a target man and axe man, each at an allowance not exceeding one dollar and fifty cents, and two chain bearers, at an allowance of one dollar each, and the said commissioners respectively shall receive a per diem allowance of three dollars for each and every day necessarily spent in the discharge of the duties prescribed by this act, enjoined to be paid as hereafter directed.

Drafts to be made out and filed.

SECTION 4. That it shall be the duty of the said board of commissioners, to make out a fair and accurate draft of the location of the said road, together with any that may be vacated, or any part thereof, in pursuance of the authority aforesaid, respectively noting thereon courses and distances as they occur, and improvements passed through, also the crossing of township lines, roads and waters, with such other matters as may serve for explanation, one copy thereof to be deposited in the office of the secretary of the commonwealth, on or before the fifteenth day of June next, and one copy in the offices of the clerks of the courts of quarter sessions in the respective counties through which said road may be laid out, on the day aforesaid, or as much sooner as practicable; and said road shall to all intents and purposes be a public highway, and opened to the width aforesaid, and repaired in all respects as roads are opened and repaired, which are laid out by order of the courts aforesaid.

Duties of supervisors.

SECTION 5. That it shall be the duty of the supervisors of the townships through which the said road may pass, to open the same to the width aforesaid, and where excavation or filling may become necessary, the bed of the road shall be at least thirty feet, and its entire course thrown up in the centre at least fifteen inches above the plane of its sides, so that no part shall exceed an elevation of four degrees from a horizontal line; and in like manner to grade and fill up the old road from the bridge over Yellow Breeches creek aforesaid to Dillsburg; and on failing to comply with the above, shall be subject to the same fines and penalties that are now imposed upon supervisors, for refusing to open and repair roads laid out by order of the courts of quarter sessions of their respective counties.

Expenses, how paid.

SECTION 6. That the accounts of the said commissioners, for their own pay, and allowance for compensation to the persons employed as aforesaid, shall be made out and returned to the commissioners of the counties in which the said road may be laid out, in proportion to the time they may be so employed in each county in locating the same, and they shall be paid out of the treasuries of the respective counties, on warrants drawn in the usual way.

Meeting of commissioners.

SECTION 7. That the said commissioners shall meet on or before the fifteenth day of May next, at such place as a majority of them shall agree upon, and complete the location of the said road as soon thereafter as practicable; and if any vacancy shall happen, by death or otherwise, the court of quarter sessions of the county in which the said vacancy shall occur, is hereby authorized to supply the same by a suitable appointment; and in the difference of opinion, a majority of the commissioners

Vacancies, how supplied.

shall determine, and the report of such majority shall be conclusive, and as available as if made by all of them.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 61.

AN ACT

To authorize George M. Lauman to form a Connection between the Susquehanna River and the Eastern Division of the Pennsylvania Canal, above Portsmouth.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* George M. Lauman be and he is hereby authorized and empowered to form a connection from the Susquehanna river into the Eastern division of the Pennsylvania canal, at some point on the farm owned by him, above Portsmouth, either by locks, feeders, slackwater or otherwise: *Provided, That* the same shall be constructed entirely through his own land, and at his own expense: *And provided further, That* the said work shall be constructed under the supervision of the canal commissioners, who shall have power, in times of low water, to secure the use of an adequate amount of water to the state canal, by closing the connection between the same and the improvement aforesaid; and that the state shall have the right to charge toll on all boats passing through said outlet, at the same rates charged by the lock emptying into the Swatara, and that the said tolls shall enure to the commonwealth: *Provided, That* the plan of the whole work, and the point at which the connection is made, shall be first approved by the canal commissioners, and that the locks, basins and other works connected therewith, shall be kept in good repair by the said George M. Lauman, his heirs and assigns: *Provided further, That* in case of the sale of the main line, the absolute control of the powers hereby granted, shall be vested in the purchasers of this division of the canal: *And provided further, That* the said canal shall not be used for any purpose except for the purpose of navigation, nor shall the water of the said canal be used for any manufacturing purpose.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 62

AN ACT

For the Relief of Sarah Miller.

WHEREAS, John Miller, of the township of Honeybrook, in the county of Chester, an illegitimate child of Sarah Miller, of the same county, died on the seventh day of October, one thousand eight hundred and fifty-four, having made a nuncupative will, which was proven before the register of wills of said county, on the twenty-fifth day of November, of the same year, wherein he bequeathed all his estate, after the payment of his debts, to his mother, the said Sarah Miller:

And whereas, The said John Miller had not quite attained the age of twenty-one years, and it is desirable that his will should be carried out; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* all the claim and interest which commonwealth may have acquired, or now has, by reason of any escheat, or supposed escheat, in and to the personal estate and moneys of which the said John Miller died possessed, or to which he was entitled, be and the same is hereby granted to and vested in his mother, the said Sarah Miller; and J. Smith Futhy, administrator *cum testamento annexo* of the said John Miller, deceased, is hereby authorized and directed to pay the balance remaining of said estate, after payment of debts and expenses of settlement, to the said Sarah Miller, in accordance with the provisions of said will, and as though the said John Miller was of full age when he declared the same.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The second day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 63.

AN ACT

Relative to Elections in the borough of Lebanon, in the county of Lebanon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* hereafter the qualified voters of the East and West wards, respectively, of the borough of Lebanon, in the county of Lebanon, shall elect one justice of the peace, who shall be a resident citizen of the ward for which he is elected, in the manner now provided for by law.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The second day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 64.

AN ACT

To change the time of holding the Courts for the county of Mercer.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* hereafter the regular terms of the courts of common pleas, quarter sessions, oyer and terminer, &c., for the county of Mercer, shall be held on the third Mondays of January, April, August and November, to continue one week, and the writs, recognizances, venires, orders and other judicial process which have been or may be issued and made returnable to the April term, one thousand eight hundred and fifty-five, shall be considered and adjudged in like manner as if the same had been made returnable to the third Monday of April.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED--The second day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 65.

AN ACT

Relative to the Courts of Lebanon and Dauphin counties

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the April term of the several courts of Lebanon county shall hereafter commence on the third Monday of April, of each year, and continue one week if necessary.*

SECTION 2. *That the August term of the several courts of Dauphin county shall hereafter commence on the fourth Monday of August, of each year, and continue one week, or longer, if necessary.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The second day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 66.

AN ACT

Relative to certain Contingent Expenses of the Legislature.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general be and he is hereby authorized to settle, and the state treasurer to pay, the accounts of the clerks of the senate and house of representatives, for furnishing their respective houses with Sutherland's Legislative Manual, and diagrams of the senate and house of representatives, purchased in pursuance of resolutions heretofore passed by the senate and house, during the present session of the legislature, the accounts to be settled in the usual manner: Provided, That the sum paid by the clerk of the senate, for the Legislative Manual, shall not exceed the sum of fifty-five dollars and fifty cents, and that paid by the clerk of the house, for the same, shall not exceed*

the sum of one hundred and fifty-three dollars: *And provided also*, That the price paid for diagrams of the senate and house shall not exceed that fixed in the respective resolutions of the senate and house ordering the same.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The second day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 67.

A N A C T

Supplemental to an act, entitled "An Act to incorporate the Cleveland and Pittsburg Railroad Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Cleveland and Pittsburg railroad company be and it is hereby authorized to sell any bonds held by it in payments for subscriptions made to the capital stock of said company, by the counties of Beaver and Allegheny, at such rates below par as may be agreed upon between said company and the parties purchasing the same: *Provided*, That no sale shall be consummated until the commissioners of the county which issued the bonds shall have, by resolution, determined the lowest price at which said railroad company may sell the same, said resolution to be recorded in the minutes of their proceedings; and so much of any act or acts of assembly as is hereby altered or supplied, be and the same is hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The second day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 68.

AN ACT

Relative to the Coroner of Armstrong county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the ninth section of an act concerning certain sheriffs' and coroners' sales, and for other purposes, passed the sixteenth day of April, one thousand eight hundred and forty-five, be extended to the county of Armstrong.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

We do hereby certify that the bill, entitled "An Act relative to the coroner of Armstrong county," was presented to the governor on the twenty-first day of February, one thousand eight hundred and fifty-five, and was not returned within ten days (Sundays excepted) after it had been presented to him, whereupon it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

A. W. BENEDICT,
Clerk of the House of Representatives.

GEO. W. HAMERSLY,
Clerk of the Senate.

March 8, 1855.

No. 69.

A SUPPLEMENT

To an act, entitled "An Act to authorize the Governor to incorporate the West Chester Railroad Company," passed the eighteenth day of February, one thousand eight hundred and thirty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the West Chester railroad company be and are hereby authorized to increase their capital stock from three thousand to three thousand three hundred shares; and it shall be the duty of the directors of the said company to sell or dispose of all shares to the*

stockholders thereof, in such manner and for such price as shall be most conducive to the interests of the said company : *Provided however,* That the said directors shall not proceed to sell or dispose of the said shares without the consent of stockholders holding more than one-half of the stock of said company, given in person, or by an attorney, or proxy, at a meeting of said company called pursuant to the provisions of the charter thereof : *And provided further,* That the present stockholders shall have the opportunity of taking the new stock *pro rata*

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 70.

AN ACT

To authorize Ridgway township, in Elk county, to purchase a Bridge over the Clarion river, and to levy an additional Tax to pay for the same

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the supervisors of Ridgway township, in Elk county, to purchase from the Ridgway bridge company the bridge belonging to said company, erected across the Clarion river, in said township ; or if the said supervisors have purchased the same from said company, to do the acts hereinafter mentioned : *Provided,* That the said bridge can be purchased, or has been purchased, for a sum not to exceed three hundred dollars.

Supervisors may purchase certain bridge.

Provided.

SECTION 2. That it shall be lawful for the said supervisors, and their successors in office, to levy in, addition to the regular tax now by law authorized to be assessed to keep in repair the roads in said township, the further tax of ten mills on the dollar, annually, on all the property in said township now by law made taxable for road purposes, so long as the same shall be necessary for the purpose of paying said company for said bridge, and putting the same in proper repair, and paying the debts due by said township ; and the said tax so raised, shall be collected as other road tax in this commonwealth is now by law collected ; and the said bridge from and after said purchase shall be a township bridge, of the said Ridgway township.

May levy a tax to pay for the same.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The eighth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 71.

A N A C T

To incorporate the Trustees of the Wagner Free Institute of Science.

Preamble

WHEREAS, It is represented to the legislature of Pennsylvania, that William Wagner, of the city of Philadelphia, has large collections of specimens of geology, mineralogy, organic remains, botany and conchology of great value, which he has made through a series of years, and that he is desirous of placing them, with the cabinet edifice and lot of ground, in the hands of trustees, to establish an institution of science; therefore,

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William H. Allen, president of Girard college, James Bryan, M. D., Robert E. Peterson, George M. Keim and William Wagner, all citizens of Pennsylvania, the latter of whom shall be president for life, and their successors forever, shall be and are hereby constituted a body politic and corporate, under the name, and style, and title of the trustees of the Wagner free institute of science, and by the same name shall have perpetual succession, and in case of death, resignation or removal from the state of Pennsylvania, of either of them, the said trustees shall elect his successor, and they shall have power to increase the number to nine if it shall be thought necessary, and they shall have power to appoint such officers as the wants of the institution may require.

Object.

SECTION 2. That the object of this institution shall be the gratuitous instruction in the natural sciences, such as geology, mineralogy, metallurgy, mining, botany, chemical agriculture, with their application to the arts and other kindred sciences, to all persons conforming to the rules of the institution; and the president and professors, or a majority of them, shall constitute the faculty of the institute, which faculty shall have the power of enforcing the rules and regulations adopted by the trustees for the government of the students.

Seal.

SECTION 3. That it shall have a common seal, and change the same at pleasure; make contracts relative to the same institution, to sue and be sued, and by that name and style be capable in law of purchasing, holding, taking and conveying any estate, real personal or mixed, for the use of said corporation, of whatsoever kind, nature or quality soever, by gift, grant, bargain, sale, assurance, will, devise or bequest, from any person or persons capable of making the same: *Provided,* That the same do not exceed the yearly value of ten thousand dollars, over and above the gifts of William Wagner, and the same to grant, bargain, sell, devise, alter, lease or dispose for the use of the said institute, and to erect such buildings as may be necessary, and generally to do all and singular the matters and things which it shall be lawful for them to do for the well being and ordering the affairs thereof.

Proviso.

SECTION 4. That the trustees shall have their first meeting in the city of Philadelphia, at the cabinet, in Twenty-third ward, on the first day of May, one thousand eight hundred and fifty-five. Meeting of trustees.

SECTION 5. That the cabinet collection, edifice and lot of ground on which it is erected, belonging to said institute, so long as the same shall be used for the promotion of free and gratuitous instruction, as contemplated by this act, shall be exempted from taxation. Exempted from taxation.

SECTION 6. That the faculty, by and with the approbation of the board of trustees or a quorum thereof, shall have full power to grant degrees and diplomas in the arts and sciences, to such students of the institution and others, as by their proficiency in learning or other meritorious distinction, they shall think entitled to them. Power to confer degrees.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 72.

A SUPPLEMENT

To an act, entitled "An Act for the relief of James and William Patten, and William Wharton, of Turbett township, Juniata county; incorporating the Building Association Fire Insurance Company, of Philadelphia," et cetera, approved the first day of May, Anno Domini one thousand eight hundred and fifty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name, style or title of the "Building Association fire insurance company of Philadelphia," be and the same is hereby altered to, and the said company hereafter shall be known by the name, style and title of the "Merchants' and Mechanics' insurance company of Philadelphia." Proviso.

SECTION 2. That the said company shall have full authority and power to make insurances, at such rates of premiums as may be agreed on, against losses happening on the marine and inland transportation of goods, wares and merchandize of every description, and against losses by fire on houses or other buildings, and on goods, wares or merchandize therein, and generally on every species of property, pursuit or business, in the prosecution of which there may be any loss or risk, either on the mutual or stock principle; and the said company shall have all the powers Powers.

Proviso.

conferred on or exercised by the "Columbia mutual insurance company of Philadelphia," under the provisions of an act, entitled "A supplement to an act, entitled 'An Act to incorporate the Columbia insurance company of Philadelphia,' approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty:" *Provided*, That the capital stock of said company shall be and remain as the same is provided for in the act to which this is a supplement.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 73.

AN ACT

Extending the jurisdiction of the Courts of this Commonwealth, in cases of Divorce.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for the several courts of common pleas, in this commonwealth, to entertain jurisdiction of all cases of divorce from the bonds of matrimony, for the cause of personal abuse, or for such conduct on the part of either the husband or wife, as to render the condition of the other party intolerable and life burdensome, notwithstanding the parties were at the time of the occurring of said causes domiciled in another state: Provided, That no application for such divorce shall be made unless the applicant therefor shall be a citizen of this commonwealth, or shall have resided therein for the term of one year, as provided for by the existing laws of this commonwealth.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 74.

A N A C T

Relating to the Election of Constables in the borough of Gettysburg, in the county of Adams.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* on the day appointed by law for the election of borough officers in the borough of Gettysburg, the qualified electors of said borough shall, in each year, elect two suitable persons, being citizens of said borough, for the office of constable, and shall return the names of the persons so elected to the next court of quarter sessions of the peace, to be holden for the county of Adams, and the said court shall appoint said persons constables for the said borough, conformably to law; and that all acts inconsistent with the provisions of this act, be and the same are hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 75.

A N A C T

Relative to the several Courts of Jefferson county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, the several courts of Jefferson county shall be continued two weeks when necessary.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 76.

A SUPPLEMENT

To the act laying a Tax on Dogs in certain townships in the county of Chester.

Provisions of cer-
tain act extended

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the provisions of the first, second, third, fourth and fifth sections of an act, entitled "An Act laying a tax on dogs, in certain townships in the county of Chester; relative to elections in West Philadelphia, and to assessors in Millerstown, Perry county," passed March eleventh, one thousand eight hundred and fifty, be and the same are hereby extended to the townships of Schuylkill and West Marlborough, in Chester county.

Township trea-
surer.

SECTION 2. That the electors of each of said townships shall, at their next township election, and every two years thereafter, elect a township treasurer, who shall perform all the duties enjoined on the town clerk by said act.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The ninth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 77.

AN ACT

Extending to East Earl township, Lancaster county, the provisions of the thirteenth section of an act relative to the Elections of Assessors and Constables in Salisbury and Caernarvon townships, in said county, approved April tenth, one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the provisions of the thirteenth section of an act, approved the tenth day of April, one thousand eight hundred and fifty-one, relating to the elections of assessors and constables in Salisbury

and Caernarvon townships, in Lancaster county, be and they are hereby extended to the township of East Earl, in said county.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 78.

AN ACT

Appropriating eighty thousand dollars for the continuation of the new work on the Allegheny Portage Railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the sum of eighty thousand dollars be and the same is hereby appropriated towards the completion of the new works on the Allegheny Portage railroad, to be expended under the direction of the canal commissioners; and the state treasurer is hereby authorized to pay the same from and after the passage of this act, as the public interest may require: *Provided,* That if the main line of the public works shall be sold before the whole amount of said appropriation shall have been expended, then all further payments under this act shall cease.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 79.

AN ACT

To fix the place of holding Elections in Penn township, Westmoreland county, and in the borough of Clarksville, in Mercer county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the general and township elections of the new township of Penn, in Westmoreland county, shall be held at the public school house in the village of Harrison City, in said township of Penn.

Election in Penn township, Westmoreland county, fixed

Election officers.

SECTION 2. That James Boyd is hereby appointed judge, and Richard M'Call and James Morrow inspectors, to hold the township election in said township, on the third Friday of March, one thousand eight hundred and fifty-five, agreeably to the existing laws regulating township elections, and they, the said judge and inspectors, are hereby directed to hold said election at said time and place.

Clarksville, Mercer county.

SECTION 3. That the qualified electors of the borough of Clarksville, in the county of Mercer, shall hereafter hold their general, borough and special elections in the north room of the new brick school house recently erected in said borough: *Provided, That* two days' notice of the time and place of holding the said elections in said districts, put up in public places throughout the same, shall be deemed sufficient in lieu of the notice now required by law.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The twelfth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 80.

A FURTHER SUPPLEMENT

To an act, entitled "An Act to incorporate the Broad Mountain Improvement and Railroad Company," approved the eighteenth day of April, one thousand eight hundred and fifty-three, and the several supplements thereto.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the shareholders in this company, created by the act to which this is a supplement, shall be jointly and severally liable in their individual capacity for all debts contracted by them for work and labor done, or materials furnished for the opening, improving and preparing the lands of the said company for mining purposes, in the same manner and to the same extent as is provided in the fifth section of an act, entitled "An Act to enable joint tenants, tenants in common and adjoining owners of mineral lands in this commonwealth, to manage and develop the same," approved the twenty-first day of April, one thousand eight hundred and fifty-four, and the third section of the original act, to which this is a supplement, be and the same is hereby repealed; and said company may hold the quantity of land authorized in said original act, in the counties therein named, whether now held by the corporators named in said act, or hereafter acquired by purchase from others.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The thirteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 81.

A SUPPLEMENT

To an act to define and punish the offence of Bribery, passed the third of March, one thousand eight hundred and forty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That no witness shall be excused under any allegation or pretence whatsoever, from giving evidence in any criminal proceedings, or investigations, or inquiry before any committee of the legislature, of his knowledge of any violation of the act to which this is a supplement; but the evidence so given, or facts divulged by him, shall not be used against him in any prosecution under said act: *Provided,* That the accused shall not be convicted on the testimony of an accomplice, unless the same be corroborated by other evidence, either circumstantial or positive.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The thirteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 82.

A FURTHER SUPPLEMENT

To the several acts relative to the Union Canal Company of Pennsylvania.

Preamble.

WHEREAS, By the fifth section of the act of April eleventh, one thousand eight hundred and forty-five, the Union canal company was authorized to increase its capital, by issuing new shares to any extent which might be authorized by a meeting of the stockholders :

And whereas, By the third section of the act of March twenty-fifth, one thousand eight hundred and fifty, it was enacted that the new shares of stock so authorized to be issued, should be entitled to such preference and privilege over the residue of the capital stock, as the stockholders, at a meeting called according to the charter, might at any time determine :

And whereas, At the annual meeting of the stockholders, held by adjournment, February ninth, one thousand eight hundred and fifty-five, it was unanimously determined that each holder of twenty-five shares of common stock, and in that proportion for all larger amounts, should subscribe to the mortgage loan of the company to the amount of five hundred dollars, upon certain conditions ; and at the time of such subscription should offer to have recorded in the office of the company the number of shares of stock then held by him, including therein such as were intended to be applied in accordance with such conditions, and that such stock should thereafter be denominated preferred six per cent. stock, and entitled to a preference over the common stock, whenever a dividend was earned, until it reaches six per cent. per annum ; now, therefore,

May cancel present stock and issue new stock.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to increasing the capital by issuing new stock, the stockholders of the Union canal company of Pennsylvania may at any time, by resolutions adopted at any meeting called according to the charter, call in and cancel the stock at present existing, and in lieu thereof, may issue certificates for an equal number of shares of a new stock, which new stock shall be the same in all respects as to its rights, privileges and preferences as that authorized to be issued by said acts of April eleventh, one thousand eight hundred and forty-five, and March twenty-fifth, one thousand eight hundred and fifty ; and the proceedings of the stockholders heretofore had in relation to such stock, and the privileges to be given to the same, shall be and the same are hereby ratified and confirmed.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED--The thirteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 83.

AN ACT

Relative to the Directors of the Poor of Chester county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That ^{Term of office fixed.} the term of office of the directors of the poor or house of employment of the county of Chester, shall hereafter commence on the last Monday of January next succeeding their election, and shall continue three years, or until their successors are duly qualified.

SECTION 2. That the term of the present directors of said ^{Term of present directors extended.} county is hereby extended to the last Monday of January, in conformity with the provisions of the foregoing section.

SECTION 3. That so much of an act, entitled "An Act designating the period for the commencement of the official term of the commissioners and auditors of Chester county," approved March thirty-one, one thousand eight hundred and fifty-four, as relates to the auditors of Chester county, be and the same is hereby repealed. ^{Repeal.}

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 84.

A SUPPLEMENT

To an act, entitled "An Act authorizing the Commissioners of Franklin county to borrow money for certain purposes," approved April seventh, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of the county of Franklin, be and they are hereby authorized to borrow, on the credit of the said county, any sum of money not exceeding nine thousand dollars, (in ad-

dition to the six thousand dollars authorized to be borrowed by the act to which this a supplement,) at the same rate of interest, for the same purposes, and upon the same terms and security as provided in said act; and all bonds given by the said commissioners for money borrowed, (for the purposes mentioned in said act of April seventh, one thousand eight hundred and fifty-four,) over and above the said sum of six thousand dollars, be and the same are hereby declared valid: *Provided*, That no more than fifteen thousand dollars shall be borrowed, in pursuance of this act, and the act to which this is a supplement.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 85.

A SUPPLEMENT

To the act authorizing a State Road from Gettysburg, Adams county, to the Buck tavern, in Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act authorizing a state road from Gettysburg, Adams county, to the Buck tavern, in Lancaster county, approved April twentieth, one thousand eight hundred and fifty-four, be and the same is hereby so amended as to require that the part of said road laid out through the townships of Union and Conewago, in the county of Adams, be laid on the old road formerly laid out by authority of law, and that the said part be opened of the width of thirty-three feet only.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 86.

AN ACT

Relative to the Collection of the School Tax in Young township, Jefferson county, for the year one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, it shall be lawful for the school treasurer of Young township school district, in the county of Jefferson, to collect the school tax for the year one thousand eight hundred and fifty, which has not heretofore been collected, as made out in the duplicate for said year: *Provided however, That* before proceeding to the collection of same, the said school treasurer shall give notice at least one month, by written or printed handbills stuck up through the township, notifying the taxable inhabitants to meet the school treasurer on a day certain, to pay off the amount of taxes against them; in default of their appearing, it shall be lawful for the said school treasurer to proceed to collect the same before a justice of the peace, in the same manner as debts of like amount are collected.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 87.

AN ACT

Relating to Taxes in the county of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* it shall be lawful for the commissioners of Erie county, and they are hereby required, to receive at any time for thirty days after the passage of this act, from any collector of taxes in said county who has omitted to make a return of unseated lands or lots, as now required by law, such lists of unseated lands or lots in their

respective townships or wards upon which either the state, county, school, city or road taxes, for the year one thousand eight hundred and fifty-four, remain due and unpaid, to be received in like manner, and with the same force and effect, as if the same had been returned before the close of the year one thousand eight hundred and fifty-four; and sales by the treasurer of said Erie county, if any, of such lands or lots for said taxes (in whole or in part) which shall hereafter be made, in all other particulars in conformity with the laws of this commonwealth, shall be as valid and effectual as if the said list of unseated lands or lots had been made within the time and in the ordinary manner.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 88.

AN ACT

Relative to Overseers of the Poor in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* in the several boroughs and townships of the county of Allegheny, in which the poor tax heretofore levied and collected, is inadequate to pay all claims and demands against the overseers of the poor thereof, the overseers elected at the annual election, in the year one thousand eight hundred and fifty-four, are hereby continued in office until they shall have paid all claims in full against the said districts respectively; and they are hereby authorized and required, immediately after the passage of this act, to levy a rate or assessment, and collect the same for the purpose of discharging the just debts due by the overseers of such district: *Provided, That* all their acts done in pursuance hereof, shall be governed in other respects by the existing laws of this commonwealth relating to the poor, and they shall not be entitled to any compensation for such services.

SECTION 2. That so much of the act of twenty-third of April, one thousand eight hundred and fifty-two, entitled "An Act to provide for the erection of a house for the employment and sup-

Overseers continued in office.

New tax authorized.

Proviso

Repeal.

port of the poor in the county of Allegheny," as is inconsistent with this act, be and the same is hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 89.

AN ACT

To authorize the erection of Slocum township, Luzerne county, into a separate Election District.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the township of Slocum, in the county of Luzerne, is hereby erected into a separate election district; and that the qualified electors of said township shall hold their election, for the election of township officers, on the third Friday of March, instant, at the Lutzey school house, near the store of F. M. Jones, in said township; that the said electors shall, at the same place, on the morning of said day, between the hours of nine and eleven o'clock, A. M., organize a meeting with one president, two assistants and a secretary, who shall provide boxes or other proper means for securing, and shall elect one judge of election, two inspectors of election, to hold the election; the said judge and inspectors so elected, shall organize the board, shall proceed and conduct the said election, as provided by the general election laws of this commonwealth, and thereafter the general, special and township elections, shall be held at the said Lutzey school house.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 90.

A FURTHER SUPPLEMENT

To the act incorporating the Donaldson Improvement and Railroad Company, formerly the Eagle Iron Company, approved on the fifth day of May, Anno Domini one thousand eight hundred and forty-one.

Dividends may
be paid in cash,
stock or bonds.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the supplement relative to said company, approved the fifth day of May, one thousand eight hundred and fifty-four, authorizing said company to pay dividends, not exceeding seven per centum per annum, to the shareholders, in cash certificates of stock or in bonds, shall be so amended as to authorize the payment of said dividends in cash, or certificates of stock, or in bonds.

Time for paying
certain loans ex-
tended.

SECTION 2. That the money said company is authorized to borrow, by the provisions of the said section of the supplement relating thereto, approved the thirty-first day of March, one thousand eight hundred and fifty-four, may be made payable in the manner therein specified, at any time within twenty years, in lieu of fifteen years as therein provided; and that the quantity of land which said company is authorized to hold, may be either in severalty or an undivided interest, as a tenant in common with others, and that the mortgage which said company is authorized to execute, to secure money borrowed, may be on said undivided interest, and also to embrace and be a lien upon any afteracquired interest in land which said company may thereafter purchase within five years from the date of said mortgage, whether from any co-tenant or co-tenants of the land of which said undivided interest is a part, or from others: *And provided, That* the trustee or trustees named in said mortgage, or their successors, may be authorized in said mortgage, so as to have full power to execute, sign, seal and deliver a release or deed of exoneration, of any portion of the land embraced in the same, which is now or may be hereafter laid out and sold, for bona fide burial, church, school, town or building lots, and in which the coal and other minerals shall be reserved: *Provided however,* That the said trustee or trustees shall receive the whole purchase money of such sale, and invest the same in state or United States government loans, and hold the same as a sinking fund toward the payment of the bonds or debt secured by said mortgage, or shall purchase therewith the bonds of said company and cancel the same.

Provide.

Provide.

Annual election.

SECTION 3. That the annual election shall be held in the month of January, in each year, at such time and place as the president and managers may direct, of which three weeks' public notice shall be given; and the said company may hold, in addition to the real estate now authorized, an amount not exceeding three thousand acres of coal and timber lands, and may increase its

capital stock from time to time, as may be deemed expedient, to the amount of sixty-eight thousand shares

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 91.

A FURTHER SUPPLEMENT

To an act, entitled "An Act to incorporate the city of Lancaster," passed the twentieth day of March, one thousand eight hundred and eighteen.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Certain debts consolidated. from and after the passage of this act, the debts and liabilities of the city of Lancaster, known as the "city and water debts," be and the same are hereby declared to be consolidated, and that all bonds, certificates or other evidences of debt, given by the said city, to secure the payment of any sum or sums of money, to any person or persons whomsoever, shall be paid out of the city treasury, without regard to what particular fund the said moneys, before the passage of this act, belonged to.

SECTION 2. That the second and third sections of the act, entitled "An Act relating to the borough of Uniontown, Fayette county, and for other purposes," approved the first day of April, one thousand eight hundred and thirty-seven, be and the same are hereby repealed. Repeal of certain acts.

SECTION 3. That in lieu of the present existing city and water taxes of the city of Lancaster, the mayor, aldermen and citizens of the city of Lancaster, in select and common councils assembled, shall have full power and authority to lay, assess, levy and collect a tax, to be called the city tax, which tax shall be laid and assessed upon, and levied and collected, in the manner that other taxes are laid, assessed, levied and collected from all property which is now subject to the present existing city tax: *Provided*, That the said tax shall not exceed one hundred cents on each one hundred dollars of the assessment valuation of said property. City tax to be laid. Proviso.

SECTION 4. That the mayor, aldermen and citizens of the city of Lancaster, in select and common councils assembled, shall not in any case authorize the borrowing of any money, for any purpose whatsoever, whereby the actual indebtedness of the city will be increased, unless it is authorized by ordinance regularly Increase of city debt prohibited.

Proviso. presented and passed : *Provided*, That the said ordinance shall not pass the final reading, within two weeks from the meeting of councils at which the same was presented.

**Public improve-
ments regulated.** SECTION 5. That the mayor, aldermen and citizens of the city of Lancaster, in select and common councils assembled, shall not have the power or authority to erect, construct or make any public improvements for the benefit of the said city, where the expenditure thereof will exceed the sum of three hundred dollars, unless the erection, construction or making of the said public improvements is first authorized by an ordinance passed for that purpose, agreeably to the provisions of the fourth section of this act : *Provided*, That this section shall not be construed so as to apply to the erecting, constructing and making of such public improvements as are paid out of the regular annual appropriations.

Repeal. SECTION 6. That the act, entitled "A further supplement to the act, entitled 'An Act to incorporate the city of Lancaster,' passed January twenty-nine, one thousand eight hundred and thirty-three," and section third of the act, entitled "A further supplement to an act, entitled 'An Act authorizing the governor to incorporate the Northampton water company,'" and to an act, entitled "An Act to incorporate the city of Lancaster, and for other purposes," passed March twenty-first, one thousand eight hundred and thirty-six, and all other acts and parts of acts inconsistent herewith, be and the same are hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 92.

A N A C T

To legitimate Amelia M. Tomlinson.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Amelia M. Tomlinson, an illegitimate daughter of John Tomlinson, of Lycoming county, Pennsylvania, and Mary Marsh, late (deceased) of Summit county, and state of Ohio, shall enjoy all the rights and privileges, benefits and advantages, of a legitimate child of her said father ; and she, the said Amelia M. Tomlinson, shall be capable in law to inherit and transmit any*

estate whatever of the said John Tomlinson, as if she had been born in lawful wedlock.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 93.

AN ACT

Authorizing the Commissioners of Jefferson county to employ an Artist to make out a draft of the borough of Brookville.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful, and it is hereby made the duty, of the commissioners of Jefferson county, as soon after the passing of this act as it may be practicable, to employ a competent artist to make out a correct plot or draft of the borough of Brookville, in Jefferson county, as it was originally laid out. Artist to be employed.

SECTION 2. That it shall be the duty of the said artist, after having been duly sworn or affirmed to perform his duty with fidelity, to proceed to make out, from the original survey of said borough, a plot or draft of said borough, noting the several courses and distances of the in and out-lots, note the location of the streets and alleys, and mark their several widths, and mark upon each in and out-lot its appropriate number, and mark the names of the several streets and alleys, and to mark out the courses of the larger streams of water that pass through said borough. Draft to be made out.

SECTION 3. That upon the completion of said draft or plot, and the approval thereof by the court of quarter sessions of the county, it shall be the duty of the said commissioners to hand the same to the recorder of deeds of Jefferson county, whose duty it shall be to place the same fully upon the record books of said county, and thereafter the said plot, or the record of the same, shall be evidence in any court of record in Pennsylvania or elsewhere. Draft to be recorded.

SECTION 4. That all reasonable costs and charges which may accrue in the making of the said plot or draft, and recording the same, shall be paid by orders drawn by the commissioners of Jefferson county, on the treasurer thereof. Expenses, how paid.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 94.

A SUPPLEMENT

To an act, entitled "An Act extending the Charter of the Honesdale Bank, approved the fifth day of April, Anno Domini one thousand eight hundred and forty-nine."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the president, directors and company of the Honesdale Bank, by and with the consent of a majority of stockholders, at a special meeting called for that purpose, shall have the right to increase their capital stock to any sum not exceeding two hundred thousand dollars, the additional stock to be divided into shares of fifty dollars each: Provided, A bonus of two per centum upon the increase of capital stock hereby authorized, be paid by the said bank into the state treasury, within six months after the creation of said stock.*

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

I do certify, that the bill, entitled "A supplement to an act, entitled 'An Act extending the charter of the Honesdale Bank,' approved the fifth day of April, Anno Domini one thousand eight hundred and forty-nine," passed the house of representatives on the eighth day of May, Anno Domini one thousand eight hundred and fifty-four, which has been disapproved by the governor, and returned with his objections to the senate, in which it originated, was agreed to by two-thirds of the house of representatives, on the sixteenth day of March, Anno Domini one thousand eight hundred and fifty-five, and that the foregoing is the act so agreed to by said house.

HENRY K. STRONG,
Speaker of the House of Representatives.

*Attest :—*ADIN W. BENEDICT,
Clerk of the House of Representatives.

I do certify, that the bill, entitled "A supplement to an act, entitled 'An Act extending the charter of the Honesdale Bank,' approved the fifth day of April, Anno Domini one thousand eight hundred and forty-nine," passed in the senate on the sixteenth day of March, Anno Domini one thousand eight hundred and fifty-four, which has been disapproved by the governor, and returned with his objections to the senate, in which it originated, was agreed to by two-thirds of the senate, agreeably to the constitution, on the fourteenth day of March, Anno Domini one thousand eight hundred and fifty-five, and that the foregoing is the act so agreed to by the senate.

WM. M. HIESTER,
Speaker of the Senate.

*Attest :—*GEO. W. HAMERSLY,
Clerk of the Senate.

No. 95.

A N A C T

To increase the Pay of the Commissioners and Auditors of Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the county commissioners and county auditors of Allegheny county, shall each be entitled to receive, from the county treasury, two dollars per day, for each day by any of them employed in the duties of their office.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 96.

A N A C T

To legitimate Ledyard Eastman.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Ledyard Eastman, son of William H. H. Eastman, of Wyoming county, and Amanda Eastman, shall have and enjoy all the rights and privileges of a child born in lawful wedlock, and shall be able and capable in law to inherit and transmit any estate whatever, as fully and effectually as if he had been born in lawful wedlock.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 97.

A N A C T

To incorporate the Exchange Mutual Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Franklin Fell, John Price Wetherell, James Burns, James J. Duncan, William D. Parrish, John M. Hale, Jacob H. Lex, Lewis Ware, C. Grove, C. French, W. W. Paul, William Goodwin, Coats Walton, William H. Blair, James E. Montgomery, Z. Rittenhouse, Jr., J. Griffith, J. W. Quiggle, John C. Montgomery, John H. Frick, Samuel P. Marks, Frederick Kryder, Joseph M. Cowell, Daniel M. Fox, Thomas Wilmer, John Lindsay, Edward C. Markly, and such other persons as they may associate with them, their successors and assigns, be and they are hereby created, made and constituted a body corporate, in deed and in law, by the name, style and title of the Exchange mutual insurance company, to be located in the city of Philadelphia, and by the same name and title shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded, in all courts of record or elsewhere, and to make and have a common seal, and the same to break, alter and amend at pleasure; and also to ordain, establish and put into execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of said corporation, not being contrary to the constitution or laws of the United States or of this commonwealth, and generally to do all and singular the matters which to them it shall lawfully appertain to do, for the well being of the said corporation, and the due management and ordering the affairs thereof: *Provided*, That this corporation shall not issue scrip in payment of dividends, or any paper, bill or note, to be circulated as bank notes, nor exercise any banking privileges whatsoever.

SECTION 2. That the capital stock of said company shall consist of two thousand shares, of fifty dollars each, to be paid for in such instalments as the board of directors of said company may determine, which said capital may, at any time hereafter, be increased by them to an amount not exceeding six thousand shares, of fifty dollars each, and if any subscriber or stockholder, his or her assignee or transferee, shall refuse or neglect to pay the first, or any subsequent instalment called for and demanded by the directors as aforesaid, such subscriber or stockholder, his or her assignee or transferee, shall forfeit to the use of the company any and all his or her rights, title and interest in and to each and every share on which the payment shall not be duly made, on account of the share or shares so forfeited, or the directors may, at their discretion, cause suit to be brought in the name of the company, before any court of competent jurisdiction, for the recovery of the same; and new subscriptions may be opened and received for the share or shares so forfeited, at the discretion of the board.

Corporators.

Style.

Sue and be sued.

Proviso.

Capital stock.

May be increased

SECTION 3. That the said company shall, as soon as convenient after the passage of this act, elect ten of their number to be a board of directors, and annually thereafter, on the first Monday in January, in each and every year, an election for the board of directors shall be held; and at all elections by the stockholders, each share of stock shall be entitled to one vote; no stockholder shall vote by proxy, nor shall any stockholder be entitled to vote unless the share or shares held by him or her, shall have been standing in his or her name on the books of the said corporation, for sixty days previous to said election: *Provided*, That every stockholder at the time of the first election of directors, shall have and enjoy the said privilege of voting as aforesaid.

Election of directors.

Proviso.

SECTION 4. That the corporate powers of the said company shall be exercised by the board of directors for the time being, and such officers and agents as they may appoint.

Officers.

SECTION 5. That the board shall appoint a president, vice president, secretary and treasurer of the company, and such other officers and agents as they may deem necessary for conducting and executing the business of said corporation, and shall take bonds, in the name of the corporation, from all or any of them, with security, conditioned for the faithful execution of their several duties, and who shall perform the duties of the respective offices until they shall have been re-elected, removed from office, or their successors shall be chosen.

President and other officers.

Bonds to be given.

SECTION 6. That the said directors shall allow the persons so appointed, such compensation for their services, respectively, as they shall deem reasonable and right, and shall generally exercise all other powers and authority for the well governing and ordering of the affairs and funds of said corporation, as this act confers or allows, or as hereafter may be conferred or allowed by the laws, regulations and ordinances of said corporation; in case of death or resignation of any director, the vacancy thereby caused shall be filled by the remaining directors.

Compensation of officers.

SECTION 7. That the said company shall be empowered to effect marine and inland insurance on vessels, boats, cargoes and freights, and on merchandize and other property transported on rivers, canals, lakes and railroads, and by steamboats, wagons or otherwise, and also to take risks against fire, on all kinds of merchandize, buildings and all other kinds of property, either limited or perpetual, and to cause themselves, at any time, to be wholly or in part, re-insured as to any risk, and to execute such agreements, policies and other instruments as shall or may be necessary to effect the same, and it may be lawful for any and every person to insure marine, fire and inland transportation risks with the said company, and to become members of the said corporation, and be entitled to a *pro rata* share of any profits which may be made by such insurance, to be declared and divided as the said board of directors may direct and determine, for which purpose they shall have all the powers conferred on or exercised by the Mercantile mutual insurance company of Philadelphia.

Insurances.

SECTION 8. That it shall and may be lawful for the said company to employ and invest their capital stock and other moneys in bonds and mortgages, or real estate, ground rents, stocks or loans of the United States, and of the several states, and in other good securities, and to sell and transfer the same, and to re-in-

Funds, how to be invested.

vest the proceeds of such sale or transfer in other similar loans, stocks or securities: *Provided*, That nothing in this act shall prevent said company from receiving, purchasing or holding any real or personal property, stocks, or other securities, in payment of debts due them, or to secure the same in any manner that the interest of said corporation may require, or to purchase and hold such real estate as may be necessary to accommodate the said corporation in the transaction of the business thereof, and to mortgage, sell, assign and convey the same, in fee simple or otherwise: *Provided*, That nothing herein contained shall authorize the company to use their funds in discounting promissory notes, or to exercise any banking privileges: *Provided*, That no investment in real estate, other than ground rents, shall be hereby authorized, except such as shall be needful as a place of business, or shall have been purchased under execution for debts due such company.

SECTION 9. That the said company may, from time to time, receive notes or other securities, real or personal, as premiums from persons intending to effect insurances therewith, or from any other person or persons, under such regulations or agreements as shall be authorized by the directors, which said notes or other securities may be negotiated, transferred or conveyed by the said company, for the purposes of paying claims for losses incurred in the course of its business, and on such portions of said notes or securities as may exceed the amount of premiums paid, or agreed to be paid, by the parties from whom the same may have been received, the said company may allow and pay such interest or other compensation, not exceeding five per centum per annum, as may be agreed upon by the directors.

SECTION 10. That it shall be lawful for said company to establish agencies within this commonwealth, with local boards of directors of not less than three stockholders, for the purpose of effecting insurance and transacting the business of the company, and all contracts, agreements and receipts of such agents, shall be as valid and binding as if the same were effected by the president and directors of said company.

SECTION 11. That every stockholder or insured member, having paid the amount of his or their respective premium, stock or subscription notes, or other debts due said company, shall be free from any liability or responsibility for or on account of any and all losses and expenses which said corporation may at any time sustain or incur.

SECTION 12. That perpetual, or permanent, or limited insurances may be taken without the parties thereto becoming members, or being entitled to any part of the profits of said company.

SECTION 13. That suits at law may be prosecuted and maintained by any member against said corporation, for losses or damages incurred by them, if payment is withheld more than sixty days after the same is ascertained, and the company is duly notified of such losses, and no member of the corporation, not being in his individual capacity a party to such suit, shall be incompetent as a witness.

SECTION 14. It shall be lawful for the legislature to resume the privileges hereby granted, whenever deemed necessary for

the public welfare: *Provided*, The same be done in manner to do no injustice to the stockholders.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 98.

AN ACT

Supplementary to the Health Laws of the city and port of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, no person shall remove, or cause, or allow to be removed the contents of any privy well or sink, within the limits of the jurisdiction of the board of health, without first being licensed by the board of health to do so, and every person offending against the provisions of this section shall, for every such offence, forfeit and pay to the board of health the sum of fifty dollars, to be recovered as debts of that amount are by law recoverable, and also be liable to indictment at common law for creating or maintaining a nuisance: *Provided*, That the city councils shall, from time to time, exempt from the operation of this, or any other statute law conferring on the board of health jurisdiction on the subject of nuisances, such portions of the territory under their jurisdiction, being a rural district or sparse in population, as in their opinion they can do with safety to the health and comfort of the inhabitants thereof, which exemption shall at all times be revocable by the like authority.

License required
in certain cases.

Penalty for not
obtaining

Proviso.

SECTION 2. That every person desirous of being licensed to empty or remove the contents of privy wells and sinks, within the limits of the jurisdiction of the board of health, shall make application in writing to the board of health, who on being satisfied with the character of the applicant, and the security and tightness of his carts, and that he is the owner of such horses and carts as represented in his application, and that he is not in collusion or combination with other persons to deceive and defraud the board, may under such rules and regulations as they shall make in regard thereto, both as to their own protection from fraud and imposition by such person, and as to their supervision and control of such person in his said vocation,

Licenses, how ob-
tained.

Renewal of
licenses.

Permits must be
obtained.

Penalty for not
obtaining.

Proviso.

Permit, how paid

Price of permit.

Penalty for crea-
ting a nuisance.

Bond.

grant him a license for one year, and renew the same from year to year, as they may deem proper, and for each license so granted, and every renewal thereof, he shall pay therefor to the board of health the sum of fifty dollars; and whenever any such person shall desire, under his license, to empty or cleanse any privy well or sink, he shall first take from the board of health a permit to do so, at which time he shall furnish to the clerk the name of the owner, agent or occupant of such property as shall have so employed him, and the name of such owner, agent or occupant shall be mentioned in said permit and recorded in the office, which permit shall particularly specify the privy well or sink to be emptied or cleansed, and the days and hours within which it shall be done; and if any such person shall, by himself, his agents or servants, remove, cause, or allow, or assist in removing the contents of any privy well or sink within portions of said city not excluded from the operation of this act, without first having obtained such permit, or shall do so on any other day or days, or at any other hour or hours, than those specified in such permit, he shall for every such offence forfeit and pay to the board of health the sum of twenty-five dollars: *Provided*, That nothing herein, or in any other act contained, shall prevent farmers and others living in rural sections from cleansing their privies, without any license and without any penalty therefor.

SECTION 3. That the price of the permit shall be paid to the board of health when issued, and shall in all cases be re-paid by the person or persons whose privy well or sink shall be emptied and cleansed, and when such work shall be done by order of the board of health, to any premises declared a nuisance, the price of the permit shall also be recovered by the board of health, as part of the expenses of the removal of such nuisance.

SECTION 4. That the price of each permit issued in the months of June, July, August and September shall be five dollars, the price of each permit issued at other times shall be fifty cents, except in cases declared by the board of health to be a nuisance, when the price of a permit in those eight months shall be one dollar: *Provided*, That in all cases of permits for removing the contents of privies and sinks which are in the way of building or of improvements, as also for removing the contents of all privies and sinks that have accidentally become a nuisance, the charge for a permit shall be at all times fifty cents.

SECTION 5. That if any person or persons shall deposit the contents, or any part thereof, of a sink or privy well, any where within the limits of the jurisdiction of the board of health, so as thereby to create and maintain a nuisance, or shall deposit or spill the same on any street, lane, alley, court, road, bridge or other highway of the city and county of Philadelphia, such person or persons so offending shall for every such offence forfeit and pay to the board of health the sum of ten dollars, to be recovered as debts of like amount are by law recoverable, and shall also be liable to indictment at common law for creating and maintaining a nuisance.

SECTION 6. That every licensed person shall give bond to the city of Philadelphia, for the use of the board of health, with surety, in the penalty of two hundred and fifty dollars, to be approved by the board, conditioned for the faithful performance of all duties enjoined by this law, and the regulations of the board of health, and for the payment to them of all sums by

this act directed to be paid to them; and the board of health shall in addition have power, by a vote of the majority of the whole number of members of the board, to revoke or suspend any license for good cause shown.

SECTION 7. That every person in the city or county of Philadelphia, whether owner, agent or occupant of property, who shall employ or contract with any unlicensed person to cleanse his or her privy well or sink, or who shall receive from any unlicensed person any portion of the contents of a privy well or sink, emptied and cleansed within the limits of the jurisdiction of the board of health, shall for every such offence forfeit and pay to the board of health the sum of twenty-five dollars, to be recovered as debts of like amount are by law recoverable. Penalty for employing unlicensed persons.

SECTION 8. That the first four sections of the act of April first, one thousand eight hundred and twenty-six, entitled "An Act to empower the board of health to purchase and hold certain real estate, and for other purposes;" the first, second, third and fourth of a series of resolutions, passed May twenty-ninth, one thousand eight hundred and forty, entitled "Resolution relative to James Lyon, and for other purposes;" the third, fourth, fifth and sixth sections of act of February third, one thousand eight hundred and forty-eight, entitled "A further supplement to the act, entitled 'An Act for establishing a health office, and to secure the city and port of Philadelphia from the introduction of pestilential and contagious diseases, and for other purposes,' passed January twenty-nine, one thousand eight hundred and eighteen," and the several supplements thereto; the first and second sections of the act of March twentieth, one thousand eight hundred and fifty-two, entitled "An Act relative to the board of health of the city and county of Philadelphia; relative to shop taxes and tavern licenses in the burnt district of Philadelphia; authorizing J. Engle Negus and Edwin L. Poalk, trustees, to sell certain real estate; authorizing the trustees of the Bustleton academy to lease or transfer said academy to the controllers of public schools; to the Waterford and Erie plank road, and to vacate Jasper street, in the county of Philadelphia," and all other laws establishing, or in any way or manner relating to depositories for the contents of privies in the city and county of Philadelphia, or regulating the measurements, contracts or charges for emptying or cleansing the same, be and the same are hereby repealed. Repeal.

SECTION 9. That all contracts made by or with the board of health, and all recoveries of penalties, and suits for other causes of action, under this and other acts to which this is a supplement, shall be in the name of the city of Philadelphia, for the use of the board of health; and nothing herein contained shall in anywise impair the authority of the city corporation over said board of health, as one of the departments of said city. Contracts for use of board of health.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 99.

AN ACT

Relative to the Collection of Taxes in the city of Lancaster.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* hereafter the collection of state, county and school taxes in the city of Lancaster, shall be given to the lowest bidder for the same; proposals for which shall be presented at such times as shall be directed by the county commissioners, in two or more newspapers published in said city, and the difference between the compensation now allowed by law for the collection of state and county taxes, and that paid under the provisions of this section, shall be paid into the common school fund of Lancaster city: *Provided, That* the person appointed collector, shall be authorized and required to collect the taxes in all the wards of said city, and shall give good and sufficient security for the faithful performance of his duty.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 100.

AN ACT

To enable John H. and Rebecca Bugher to adopt a Child as their lawful heir, by the name of Emily Bugher.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* it shall be lawful for John H. Bugher and Rebecca Bugher to adopt, in pursuance of their petition to the legislature, as and for their child and heir at law, Rachael Clark, now living with them at Fayette city, by the name of Emily Bugher, and the said child shall hereafter be known by the latter name, and have capacity to take and inherit from said petitioners real and

personal estate in manner as if she were their lawful child: *Provided*, That said petitioners shall further present their petition to the court of common pleas of Fayette county, consenting to such adoption and capacity to inherit by said child, and said court shall by its decree approve of the same.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

•APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 101

AN ACT

Relative to the Courts of Wayne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the court of common pleas of the county of Wayne, shall have and exercise all the like chancery jurisdiction and powers that are conferred upon any other court of common pleas of this commonwealth, and in all cases an appeal may be taken to the supreme court, from the final decree of said court in suits of equity, on the same terms and conditions as are provided in cases of appeals from the decrees of the court of common pleas of the city and county of Philadelphia.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 102.

AN ACT

To amend an act to incorporate the Oakland Cemetery, passed April fourteenth, one thousand eight hundred and fifty one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the affairs of "The Oakland cemetery," in the county of Chester, shall be conducted by five managers, who shall be elected annually by a majority of the votes of the members of the corporation, present at any annual election held pursuant to a notice for that purpose, given according to the requirement of the charter of said corporation, and that until such election be held, the managers of the preceding year shall continue legally to act until superseded by others duly elected.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 103.

AN ACT

To change the time of holding the several Courts in the Fourth Judicial District.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the regular terms of the courts in the fourth judicial district shall commence as follows, to wit: In the county of Tioga, on the first Monday of February, June, September and December, to continue two weeks; in the county of Potter, on the third Monday of February, June, September and December, to continue one week; in the county of M'Kean, on the fourth Monday of February, June, September and December, to continue one week; and in the county of Elk, on the first Monday after the fourth Monday of February, June, September and De-*

OF THE SESSION OF 1855.

ember, to continue one week; and so much of the eighth section of the act of fifth April, one thousand eight hundred and fifty-two, as is altered by this act, is hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 104.

AN ACT

To fix the time of holding the Courts in Clinton county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the regular terms of the several courts in the county of Clinton, shall commence on the second Monday of the months of February, May, September and December; and all writs and process made returnable to the next May term, shall be held and taken to be returnable to, and be proceeded with at the time fixed in this act as aforesaid for the May term.*

HENRY K. STRONG,
Speaker of the House of Representatives

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 105.

AN ACT

To incorporate the Galitzin Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Jerome Dawson, Matthew M. Adams, Francis Christy, Washington Douglass, Samuel Watts and William D. Hurd, of the county of Cambria, or a majority of them, are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Galitzin plank road company, with power and authority to locate and construct a plank road from Galitzin, in the county of Cambria, to the Cambria mills, with the privilege of extending the same so as to connect with the Loretto plank road at Loretto, or the Chess Spring plank road, at some point near the Cambria mills, as the stockholders may determine; subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and the supplements thereto.

Corporators.

Style

Subject to the provisions of certain acts.

Capital stock.

Proviso

Toll gates.

Commencement and completion.

SECTION 2. That the capital stock of said company shall consist of two thousand shares, of twenty-five dollars per share: *Provided,* That said company may, from time to time, by a vote of the stockholders called for that purpose, increase the capital stock to such an amount as in their opinion may be necessary to complete said road, according to the true intent and meaning of this act.

SECTION 3. That whenever the said company shall have completed one mile or more of said road, they shall have power to erect a toll-gate or toll-gates, and receive tolls agreeably to the conditions and restrictions of sections twelve and thirteen of the said act, approved January twenty-six, Anno Domini one thousand eight hundred and forty-nine.

SECTION 4. That if said company shall not commence the construction of said road within three years after the passage of this act, and complete the same within six years thereafter, this act shall be null and void, except so far as the same may be necessary to settle up the affairs and pay the debts of the company.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 106.

AN ACT

To incorporate the Associated Butchers and Drovers of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the stockholders of the West Spring Garden land and improvement association number one, the West Spring Garden land and improvement association number two, the West Spring Garden land and improvement association number three, and the West Spring Garden land and improvement association number four, upon their severally expressing their assent to and accepting this act, to unite and consolidate their several companies with each other, so as to form and constitute one company or corporation, to be known by the name of "The Associated Butchers and Drovers of Philadelphia," which union shall be made on such terms and conditions, and conformably to such regulations and agreements, as the said several companies shall respectively determine and adopt, subject, nevertheless, to the following general provisions:

Corporations consolidated.

Style.

I. That all existing contracts, engagements and liabilities of each of the said companies shall continue to bind them respectively, and their property and effects, as fully as before they shall have become consolidated into one company, or that such contracts, engagements and liabilities shall be duly adopted and assumed by the consolidated company, in such manner and to such extent as shall be satisfactory to all parties being in interest in the same.

II. That all rights, powers and privileges now belonging to said companies, and conferred by existing laws, shall be held as vested in the consolidated company, so far as the same may not be modified by the provisions of this act, and may be applicable to and consistent with the new organization of the consolidated company.

III. That new certificates of stock in said consolidated company shall be issued in lieu of the certificates of stock in the present companies, and that the par value of the new issue shall be one hundred dollars; and each share of the capital stock of the consolidated company shall represent four shares in the present companies, and that the capital stock in the consolidated company may be any amount not exceeding five hundred thousand dollars, and said company may hold, not exceeding three hundred acres of land, and dispose of the same, or any part or parts thereof, from time to time, as shall be deemed for the interest of the stockholders: *Provided,* That all the rights, powers and privileges of said consolidated companies, as land and improvement associations, shall cease and determine within the time limited by the laws under which their respective charters were granted, and that the whole of the land held by them, or the said company as consolidated, shall be wholly parted with and disposed of by them, within said period, excepting so much,

not exceeding seventy-five acres, as may be reserved and set apart for depots for railroads, as hereinafter mentioned, slaughter, packing, hide and tallow houses, cattle pens and other conveniences for the accommodation of cattle.

Election of directors. SECTION 2. That the number of directors in the consolidated company shall be eleven, one of whom shall be president, and shall be elected annually by the stockholders, at such time and place as shall be designated by the by-laws of said company, and upon such notice thereof, not less than two weeks, in two or more daily newspapers published in the city of Philadelphia, as the board of directors may designate: *Provided*, That the present board of managers and officers of the associations consolidated by the provisions of this act, shall constitute the board of directors and officers of the consolidated company, until there shall be an election as hereinbefore provided.

Proviso.

Powers of consolidated company. SECTION 3. That said consolidated company shall have authority and power to maintain and keep suitable accommodations for horses, cattle, sheep, swine and other live stock, and to erect suitable buildings for slaughtering the same; and may use the whole, or any part of the improvement fund now belonging to the existing companies, or which the consolidated company may hereafter set apart to aid in the erection of buildings, and generally to provide necessary means for any other party or parties that may engage, on their account, in the business aforesaid, on the lands of the said consolidated company, and for this purpose may make loans and advances for improvements on the lands of said company, and may mortgage their lands for any of the purposes aforesaid, with the consent of stockholders holding four-fifths of the capital stock: *And provided further*, That said consolidated company may connect their said lands with the Columbia railroad, and the railway of the Philadelphia and West Chester direct railroad company, by the most direct route, under such restrictions as the canal commissioners or West Chester railroad company may deem necessary, for the protection of the roads which they respectively control, subject to the provisions of the act of assembly, entitled "An Act regulating railroad companies," approved the nineteenth of February, one thousand eight hundred and forty-nine: *Provided however*, That nothing herein contained shall be construed to authorize said company to engage in the business of slaughtering cattle, for the purpose of selling the same by wholesale or retail, in the markets of Philadelphia or elsewhere, nor the purchase or sale of cattle or other live stock.

Proviso.

May make railroads.

Proviso.

Tax to be paid State.

SECTION 4. That the said company shall pay into the treasury of the commonwealth such bonus and tax, and shall be subject to alteration, amendment or repeal, in like manner as provided in reference to manufacturing companies, under the general laws regulating such company.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 107.

A SUPPLEMENT

To an act in relation to Elections and certain Election Districts, approved the eleventh day of March, one thousand eight hundred and fifty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the seventeenth section of the act to which this is a supplement, be and they are hereby extended to the counties of Chester, Delaware, Montgomery, Cumberland, Fayette, Adams and Franklin.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 108.

AN ACT

To incorporate the Mill Creek and Dallastown Plank Road, in York county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That P. A. Small, Samuel Landis, Jacob Ehrhart, James Peeling, Samuel M'Dowell, Joseph Smyser, T. N. Haller, Joseph Zeigler, Daniel Gotwalt, Jacob Buser and Joseph Furree, or any three of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Mill Creek and Dallastown plank road company, with power to construct a turnpike plank road from the termination of the Spring Garden plank road to a point in the neighborhood of Dallastown, York county, subject to all the provisions and restrictions, and with all the power and privileges contained in an act regulating turnpike and plank road companies, approved January twenty-sixth, Anno Domini one thousand eight hundred and forty-nine: *Provided,* That the said company shall have the right to make use of so much

Commissioners.
Style.
Route.
Subject to certain acts.
Provide.

- of the road leading from Small's mill, by way of Ehrhart's and Caslow's mills, and locate their road on the ground now occupied by it, as they shall deem advantageous; and it shall be lawful for the court of quarter sessions of York county, to appoint viewers to view and vacate such road as shall be used or rendered useless by the said company, as is provided by the general road laws of this commonwealth, in cases of roads that have become useless.
- Viewers.** SECTION 2. That the capital stock of said company shall consist of five hundred shares of stock, at twenty dollars per share: *Provided*, That the said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase the capital stock so much as in their opinion may be deemed necessary to complete the road and carry out the true meaning and intent of this act.
- Capital stock.** SECTION 3. That it shall not be lawful for any person or persons residing at or near any of the toll-gates erected on said road, to enter the said road on either side of said gate, and make use of the same beyond the limits of his, her or their farms, without paying the usual tolls to said company; and if the said person or persons, or any other person, shall so enter upon and use said road, or make use of any private road, way or passage to get round any toll-gate, he, she or they, shall not only be liable to said company for their regular toll, for the distance actually traveled by them respectively on said road, to be recovered as debts of like amount are by law recoverable, but shall also be liable to a penalty of ten dollars, for each and every violation of the provisions of this section, recoverable, with costs of suit, as debts of like amount are now recoverable, before any justice of the peace of the proper county, one-half for the use of the informer, who is hereby declared to be a competent witness in the case, and the other half for the use of said company.
- Payment of tolls regulated in certain cases.** SECTION 4. That if the said company do not commence their road within three years, and complete the same within six years from the date of this act, the same shall be null and void, except as far as the same may be necessary to wind up the affairs and pay the debts of the company.
- Penalty for evading payment of tolls.** SECTION 5. That it shall and may be lawful for the managers of the Spring Garden plank road company to extend their road into the borough of York, and to erect a toll-house in said borough, after having first obtained the consent and permission of the burgess and assistant burgesses of said borough.
- Commencement and completion of road.** SECTION 6. That the president and managers of the Spring Garden plank road company shall have full power and authority to borrow any sum or sums of money, not exceeding two thousand five hundred dollars, to enable them to discharge the debts incurred in the construction of their road; and enjoy the full benefit of the privileges conferred upon them by the act of assembly authorizing their incorporation, with power also to pledge and mortgage, as security for any such loan or loans, their said road, and all and any of their property, real and personal, together with all their rights, powers and privileges and franchises.
- Relative to Spring Garden plank road.** SECTION 7. That the rates of toll for any distance traveled on the Spring Garden plank road, or the Mill Creek and Dalls-town plank road, shall not be less than one cent for one horse rode or led, two cents for one horse and wagon, three cents for
- Borrow money.**
- May mortgage road.**
- Tolls.**

two horses and wagon, and four cents for four or more horses and wagon, and for other and greater distances as at present provided for by law.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 109.

AN ACT

For the relief of Jane Glasgow, a widow of a soldier of the Revolutionary war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and directed to pay to Jane Glasgow, of Huntingdon county, a widow of a soldier of the Revolutionary war, a gratuity of forty dollars, and an annuity of forty dollars during life, payable half yearly, to commence on the first day of January, one thousand eight hundred and fifty-five.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 110.

AN ACT

To incorporate the Marble Hall and Spring Mill Turnpike Road Company.

Commissioners.

Style.

Route.

Subject to —

Stock.

Toll-gates.

May use certain road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Daniel O. Hitner, James Cresson, Henry S. Hitner, George W. Hacker, Joseph Freas, Daniel Freas, Peter Staley, Hiram Freas and John Weir, of Montgomery county, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of "The Marble Hall and Spring Mill turnpike road company," to locate and construct a road beginning at a road leading from Plymouth meeting to Spring mill, at James Cresson's land, and extending on site of the present road to Ridge turnpike road, at Peter Staley's land; said road shall be laid out fifty feet in width, forty of which shall be graded, and twenty-two of the middle of said forty shall be stoned or graveled one foot in depth, and shall not at any point rise or fall more than will form an angle of four degrees from a horizontal line; said company shall be subject to all the provisions and liabilities of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and supplements thereto, so far as they are not inconsistent with this and the following sections.*

SECTION 2. That the capital stock of said company shall consist of two hundred and forty shares, of twenty-five dollars per share.

SECTION 3. That whenever the said company shall have finished said road, notwithstanding its length is less than five miles, the same proceedings may be had to enable the company to erect and fix gates upon and across the same, and collect tolls, as is provided in the aforesaid act of assembly, in relation to any completed five miles of a turnpike road.

SECTION 4. That the said company may use all, or such part or parts of the old township or public road, now leading and extending between the points aforesaid, as may be practicable and for the interests of said company.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 111.

A SUPPLEMENT

To an act to open a certain Street in the borough of Columbia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the street required to be opened by the twentieth section of an act, entitled "An Act to incorporate the president and managers of the Belmont Avenue and plank road company in Philadelphia county, and for other purposes," approved the eighth day of April, Anno Domini one thousand eight hundred and fifty-three, so far as the same extends over and along the property of Thomas Collins, shall only be of the width of forty-three feet, and need not be located on the bed of said alley its entire length, but may be made straight.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 112.

AN ACT

Supplementary to an act, entitled "An Act to incorporate the Darlington Cannel Coal Railroad Company," passed third day of March, one thousand eight hundred and fifty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Darlington Cannel coal railroad company be and are hereby authorized to borrow any sum or sums of money, not exceeding two hundred and fifty thousand dollars, on bonds of the said company, at an interest not exceeding seven per centum per annum; and to secure the payment of said bonds and interest, said company may mortgage the whole, or any part of the property or railroad belonging to said company, and corporate privileges thereto belonging; and the said company are author-
May borrow money.
May mortgage road.

ized to sell or dispose of the said bonds, on such terms and at such rates as may be agreed upon between the parties, and may at any time confer on the holders thereof the right to convert the principal and interest thereof into the stock of the said company: *Provided*, That no bond shall be issued for a less sum than one hundred dollars.

Proviso.

May increase capital stock.

SECTION 2. That if any increase of the capital stock of said company shall be deemed necessary, it shall and may be lawful for said company, by a vote of the stockholders, at a stated or special meeting convened for that purpose, to increase the number of shares of stock, so that in the whole the capital stock shall not exceed five hundred thousand dollars, and that in all meetings of the stockholders hereafter held, for the election of directors or for other purposes, each stockholder entitled under the charter to vote, shall be entitled to one vote for each and every share of stock held by said stockholder: *Provided*, That if said company shall increase there capital stock, either by the conversion of the loan aforesaid or otherwise, they shall pay into the treasury, for the use of the commonwealth, a tax of one-half of one per cent. upon such increase, in five equal annual instalments.

Proviso.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The nineteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 113.

A SUPPLEMENT

To the act incorporating the Pittsburg and Connellsville Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the provisions of the fourth and fifth sections of the act of assembly, approved the twenty-seventh day of March, Anno Domini one thousand eight hundred and forty-eight, entitled "A further supplement to the act to incorporate the Pennsylvania railroad company," passed April thirteenth, one thousand eight hundred and forty-six, and the supplement to the act incorporating the Pennsylvania railroad company, approved the twentieth day of March, Anno Domini one thousand eight hundred and forty-nine, relating to the assessment of land damages, and the crossing or occupying turnpike or public roads, be and same

are hereby extended to the Pittsburg and Connellsville railroad company, so far as the same may be applicable to said company; and that all former acts, or supplements to acts, inconsistent therewith, be and the same are hereby repealed; and the said Pittsburg and Connellsville railroad company are hereby authorized to extend and construct their road to their depot grounds, situate in the Second ward of the city of Pittsburg, between Breckenridge street and the Monongahela river, also to connect with the Pennsylvania railroad at or near Turtle creek, in the county of Allegheny, and also to connect with the Monongahela river at the mouth of Dunlop's creek, in Fayette county: *Provided*, That the provisions of this act shall not apply to the assessment of damages, or to the occupation or appropriation of public roads, on any portion of the line of the railroad of said company, west of the mouth of Turtle creek, in the county of Allegheny.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 114.

AN ACT

Supplementary to an act to incorporate the borough of Reading, Berks county, into a city, passed the sixteenth day of March, one thousand eight hundred and forty-seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter, at the meeting of the select and common councils of the city of Reading, on the Friday next following each and every election of select and common councilmen, after receiving and examining the returns of the election, as provided by the act to which this is a supplement, each branch, by a majority of votes, shall choose one of their number as president, who in addition to the oath or affirmation now prescribed, shall be sworn or affirmed to perform the duties as president aforesaid with fidelity, all of which oaths or affirmations shall be administered to him by a member appointed for that purpose, by a majority of the members present of the respective branch, and the president so sworn or affirmed, shall administer the oaths or affirmations to the members elect and officers of their respective branches; and after the organization of both branches of the

Election of president of councils.

Oaths of presidents and members.

councils aforesaid, they shall assemble in convention for the purpose of opening and examining the returns of the election for mayor and other officers authorized by the act to which this is a supplement, and the president of the select council, or the president of the common council, shall then administer the necessary oaths or affirmations to the mayor and other officers declared elected: *Provided*, That in the absence of the president of either branch, at any meeting of said councils, the members present may appoint a president *pro tempore*, which appointment shall not extend beyond an adjournment.

SECTION 2. That each branch of the councils aforesaid shall keep a journal of its proceedings, and may enact such rules as shall be deemed necessary for the government thereof, and the yeas and nays of the members on any question shall, at the request of any two of them, be entered on the journal.

SECTION 3. That the fiscal year of the city of Reading shall commence on the fourth Friday of March, in each and every year; and hereafter upon the duplicate or duplicates of city taxes having been made out, as may be directed by the said select and common councils, the same shall be placed in the possession of the treasurer of the city of Reading, who shall collect and receive said taxes, and for that purpose shall have and exercise all the powers conferred by law in that behalf; and if any taxes remain unpaid after the first day of September, in the year for which they are assessed, there shall be an additional charge of five per centum upon all sums so remaining unpaid, and in case the taxes are not all paid by the first day of December, in the year they are assessed, the said councils shall elect or appoint a collector or collectors, and place the said duplicate or duplicates into his or their possession, who shall, in addition to the taxes therein levied, charge at the rate of ten per centum upon all sums, and proceed to collect the same, together with the taxes as is now provided by law for the collection of taxes: *Provided however*, That the committee on tax, appointed by the said select and common councils, shall have the right at all times to inspect the said duplicate or duplicates, while in the possession of the said treasurer, collector or collectors, and have power to make such allowances or alterations in the same as they may deem necessary; and the said treasurer, collector or collectors shall render an account of each item of their receipts unto said committee whenever required.

SECTION 4. That hereafter it shall be lawful for the said select and common councils of the city of Reading, by law or ordinance, to cause an accurate return to be taken annually of all dogs and bitches within the said city, and shall have power to levy such taxes upon the same as they may deem expedient, and cause the said taxes to be collected; for which purpose they are authorized and empowered to elect the necessary assessor or assessors, and appoint one or more receiver or collector for the collection thereof, who shall have the same rights and powers as is now by law conferred upon assessors and collectors, for assessing and collecting of taxes.

SECTION 5. That the amount of the bond required to be given by the treasurer of the city of Reading, in the act to which this is a supplement, shall be fixed and determined upon by the select and common councils of the said city, who shall also approve of the same; and whenever the office of treasurer of said city shall become vacant, in any way, the same shall be supplied

in the same manner as is provided by the act to which this is a supplement, for a vacancy in the office of mayor; and the treasurer so elected, shall have the like powers, and be subject to the same requirements, as is now provided by law.

Vacancies in
office of Treasurer,
how filled.

SECTION 6. That the said select and common councils of the city of Reading are hereby authorized and empowered to establish, by law or ordinance, such regulations as they may deem necessary for the well government of the fire department of the said city, and any company not recognized as such by the said councils, shall not be permitted to run the public streets, lanes or alleys of said city.

Fire department.

SECTION 7. That the word "for," next preceding the word "years," in the sixteenth section of the act to which this is a supplement, is hereby amended so as to read "four;" and that so much of any other act or acts, as is inconsistent with the provisions of this act, be and the same is hereby repealed.

Construction of
certain act.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 115.

AN ACT

To relieve the property of the Northern Association, in the city of Philadelphia, for the relief and employment of poor women, from Taxation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the property owned and occupied by "The Northern Association for the relief and employment of poor women," for the uses and purposes of the said association, be and the same is hereby exempted from taxation for all except state purposes, during such occupancy.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 116.

A N A C T

To incorporate the Cambridge and Marvin's Mills Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Commissioners. John Marvin, Reuben Bishop, Levi Bishop, G. O. Perry, L. F. Reynolds, William M'Cullen, Lewis St. John, Wm. Benson and Wm. P. Biggers, or a majority of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title

Style. of the "Cambridge and Marvin's Mills plank road company," with power to construct a plank road from Cambridge, in the county of Crawford, to Marvin's mills, in the county of Erie,

Route. by such route as may be agreed upon and adopted by the stockholders, or a majority of them, at a meeting to be called for that purpose; subject to all the provisions and restrictions of

Subject to certain acts. an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine.

SECTION 2. That the capital stock of said company shall consist of four thousand shares, at twenty-five dollars per share:

Capital. *Provided, That* said company may, from time to time, by vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much as in their opinion may be deemed necessary to carry out the true intent and meaning of this act.

Proviso.

SECTION 3. That if said company shall not commence the construction of their road within two years after the passage of this act, and complete the same within five years thereafter, this act shall be null and void, except so far as the same may be necessary to wind up the affairs and pay the debts of said company.

Commencement and completion.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 117.

AN ACT

Confirming and re-establishing the act of one thousand eight hundred and fifty-two, authorizing J. C. Plumer to erect a Lock in his dam, on the Youghiogheny river.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act of the twenty-seventh of February, one thousand eight hundred and fifty-two, entitled "An Act authorizing John C. Plumer to build a lock at his mill dam, on the Youghiogheny river," shall not be construed to require said John C. Plumer to keep a schute, in addition to said lock at said dam, as required by the act of the twenty-third of March, one thousand eight hundred and three, entitled "An Act to authorize any person or persons owning lands adjoining navigable streams," &c., and that said act, so far as it requires persons not to obstruct or impede the navigation of such streams, or prevent the fish from passing up the same, be repealed so far as it relates to the said dam of said John C. Plumer; and the said John C. Plumer, his heirs and assigns, shall charge no more than seventy-five cents on any coal boat or on any other water craft, including their whole and entire cargoes, passing through said lock: *Provided*, That the said J. C. Plumer, his heirs and assigns, shall at all times preserve a free and open navigation above and below said lock, by removing any bars or other obstructions which may arise from the construction of his dam and lock, and shall keep and maintain a channel and connection of three feet water, for the passage of boats, at all times, from the pool below his dam into the pool above his dam, when the pool below is full of water up to the bench level of the original survey of the Youghiogheny navigation, and shall so alter his lock as to make a straight passage for boats out of it, and he shall also afford equal facilities to boats passing the same, both as to machinery and management, as are afforded at the locks of the Youghiogheny navigation company.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 118.

A FURTHER SUPPLEMENT

To the act incorporating the Ligget's Gap Railroad Company, approved April seventh, Anno Domini one thousand eight hundred and thirty-two.

Annual meeting
and election of
officers

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the annual meeting of stockholders and election of officers of the Delaware, Lackawanna and Western railroad company shall take place upon the Tuesday before the last Friday in January, of every year, instead of the first Monday of January, as provided by the fifteenth section of the act to which this is a further supplement.

Number of man-
agers increased

SECTION 2. That the number of managers of the said Delaware, Lackawanna and Western railroad company be and the same is hereby increased from ten to fourteen managers, without any change of the number requisite to constitute a quorum for the transaction of business; and the additional number of managers hereby authorized may be elected at any special meeting of the stockholders of said company, during the present current year; and they shall, together with the ten members already chosen for the present current year, hold their offices until others are elected.

Branch roads.

SECTION 3. That the third section of the act incorporating the Delaware and Cobb's Gap railroad company, approved April seventh, one thousand eight hundred and forty-nine, shall be so construed as to authorize the Delaware, Lackawanna and Western railroad company to make or extend one or more branch or lateral railroads to and from points on the line of said railroad, and from points on said railroad into the Lackawanna valley, not more than six miles distant from the present line of their road.

Coal lands.

SECTION 4. That it shall and may be lawful for the said Delaware, Lackawanna and Western railroad company to increase the quantity of their coal lands to an amount not exceeding (with those already acquired) two thousand acres, and to hold said coal lands, and to mine, purchase, transport and vend coal.

Authorized to
make certain
contracts.

SECTION 5. That the said Delaware, Lackawanna and Western railroad company are hereby authorized to make agreements and contracts with corporations and individuals in the states of New York and New Jersey, expedient and necessary in the prosecution of their business in transporting and vending anthracite coal; and such contracts and agreements heretofore made by said company are hereby declared to be valid.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 119.

A N A C T

To authorize the removal of certain Convicts from the Eastern Penitentiary to the Schuylkill County Prison.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* inasmuch as the county of Schuylkill has constructed a new and expensive prison, with convenient work shops, it shall be in the power of the court of quarter sessions of the peace in the said county, upon the application of the commissioners of the said county, to make an order that John Michael Miller, a convict in the Eastern penitentiary for the crime of arson, and William Brown, another convict in the same penitentiary for the crime of larceny, both being there under sentence of the Schuylkill county courts, prior to the construction of the said new prison, be removed from the said Eastern penitentiary to the Schuylkill county prison, at the expense of the said county, there to serve out the remainder of the terms of their respective sentences, under the rules and regulations thereof, at labor, with like effect as if they had been originally sentenced to the said county prison.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 120.

A N A C T

To appoint Commissioners to run and mark the Boundary Lines between Lebanon and Berks, and Lebanon and Schuylkill counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Allen P. Hibshman, of Lebanon county, George Shock, of Berks ^{Commissioners} county, and Tobias Kreider, of Schuylkill county, are hereby

appointed commissioners with authority to survey, ascertain and mark the dividing lines between the counties of Lebanon and Berks, and Lebanon and Schuylkill.

SECTION 2. That it shall be the duty of the said commissioners, or any two of them, having first taken and subscribed an oath or affirmation, before a justice of the peace, to perform the duties enjoined on them by this act with impartiality and fidelity, to go upon the ground and carefully survey, ascertain and mark the dividing lines which separate Lebanon from Berks, and Lebanon from Schuylkill counties; and the said commissioners shall run and mark the said lines as nearly as practicable as the same were originally run, which said lines so run and marked shall be the boundary lines dividing the said counties.

To survey lines
and erect permanent marks.

Make and deposit drafts.

SECTION 3. That it shall be the duty of the said commissioners, or any two of them, on or before the first day of December, one thousand eight hundred and fifty-five, to survey and mark said lines upon the ground, by distinct and permanent marks, wherever and as often as the same cross any public road or highway, and at other convenient distances on said line; and to make three drafts of the same, certified under their hands, with courses and distances plainly laid down, and as far as may be practicable with the lines of the surveys or tracts of land through which the same may pass, laid down thereon, one of which they shall deposit in each of the offices of the clerks of quarter sessions of the counties of Lebanon, Berks and Schuylkill, as soon thereafter as practicable, which shall be considered as public records.

Compensation.

SECTION 4. That the said commissioners shall receive, as a compensation for their services, the sum of three dollars per day each, for and during the time they shall be actually engaged in the discharge of their duties; and the said commissioners shall have authority to appoint two chain-carriers, one axe-man and such other assistants as shall be actually necessary to carry out the intentions of this act, said assistants to receive one dollar and fifty cents for their services for each day actually engaged; and all the aforesaid expenses shall be paid in equal proportions by the treasurer of each of said counties.

Vacancies, how filled.

SECTION 5. That in case any of the above named commissioners should decline to serve, or in case of his sickness or death, the remaining two commissioners shall select a suitable person from the county in which the person resided who caused the vacancy, and if two or more vacancies shall occur, the governor is hereby authorized to appoint commissioners to discharge the duties prescribed by this act.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HESTER,

Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 121.

A FURTHER SUPPLEMENT

To an act, entitled "An Act to incorporate the Mount Eagle and Tremont Railroad Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for commencing the construction of said road be and is hereby extended to the first day of July, one thousand eight hundred and fifty-five. Time for commencement extended.

SECTION 2. That the proviso in the sixth section of an act, entitled "An Act to incorporate the University of free medicine and popular knowledge of Philadelphia; relative to Tremont and Mount Eagle railroad company," et cetera, approved the twenty-ninth day of April, one thousand eight hundred and fifty-three, limiting the subscription to the stock of the Mount Eagle and Tremont railroad company, to one-fourth the capital of the subscribing company, be and the same is hereby repealed. Repeal.

SECTION 3. That the company subscribing to the stock of the Mount Eagle and Tremont railroad company, under the authority of the sixth section of the act referred to in the second section of this supplement, shall have the right to build and own cars for the transportation of passengers and freight, for the use of which they may charge the same rates as are authorized by law to be charged by the Mine Hill railroad company; and for the purpose of procuring such cars, and for other purposes, conformably to its charter, the capital stock of said subscribing company may be increased in such manner and at such times as the board of managers may determine: *And provided,* That the present act shall not take effect until duly accepted by the stockholders of the Mount Eagle and Tremont railroad company, and also by the stockholders of the company subscribing to the stock thereof, at a meeting duly convened, and a certificate of such acceptance shall be forwarded to the governor of the commonwealth of Pennsylvania. Building and owning cars. &c.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 122.

AN ACT

To repeal the act establishing a Public Ferry in the Susquehanna river, at Centreville, in Columbia county, approved the eighth of April, one thousand eight hundred and fifty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act, entitled "An Act to establish a public ferry in the Susquehanna river, at Centreville, Columbia county, approved the eighth day of April, one thousand eight hundred and fifty-two, be and the same is hereby repealed.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 123.

SUPPLEMENT

To the act, entitled "An Act to incorporate the Allegheny Railroad and Coal Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the president and directors of the Allegheny railroad and coal company be and they are hereby authorized to sell the stock which had been placed in the hands of the president, as an improvement fund, for the use of the company, and appropriate the proceeds of such sale towards the construction of roads, and the payment of such expenses as may be attendant on the efforts of the company to perfect the titles of the land which it now holds, or towards the purchase of other lands, or the erection of necessary buildings and machinery, or other purposes essential to the management and discharge of the business of the company; and said president and directors shall have the power to determine that the stock sold under the provisions of*

this act, shall be preferred to the common stock, and they shall likewise have the power to guarantee, in the name and on the responsibility of the company, a dividend or interest on such stock, not exceeding seven per centum per annum: *Provided*, This act shall not go into effect until approved of in writing, by a majority in interest of the stockholders of said company, which approval shall be filed in the office of said company.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 124.

A N A C T

To annul the Marriage Contract between Helen M. Gallagher and Charles B. Gallagher, her husband.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the marriage contract entered into between Helen M. Gallagher and Charles B. Gallagher shall cease, and they shall henceforth be divorced from the bonds of matrimony.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 125.

AN ACT

Relating to the Estate of John M. Melizet, deceased.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That inasmuch as it has been made to appear to this legislature, that the object of the trusts created by the will of said decedent have ceased, it shall be lawful for the trustees thereby appointed to close up the said trust, and to file a final account thereof in the orphans' court for the city and county of Philadelphia, and make distribution according to the rights of all parties interested, in manner, to be approved by said court; whereupon the said trust shall cease, and the trustees be discharged from the further execution thereof, and such settlement and distribution shall be of the same effect as if made after the decease of the widow of said deceased, and then been duly confirmed by said court.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 126.

A SUPPLEMENT

To the act incorporating the Cash Mutual Fire Insurance Company of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the name, style and title of the Cash mutual fire insurance company of Pennsylvania, be and the same is hereby changed to the Central insurance company, and by that name shall have and enjoy all the rights, privileges and benefits of the Cash mutual fire insurance company of Pennsylvania; and also have the privilege of receiving from the stockholders, insured members, or other persons, corporations or associations, money or*

Name changed

Powers

personal property, on such terms and give such security as may be agreed upon by the parties, and to invest the same in the manner, and under the same restrictions, as the funds of the company are invested.

SECTION 2. That this act shall go into effect on the first Monday in April, Anno Domini one thousand eight hundred and fifty-five: *Provided*, That no misnomer of the corporation shall be held to affect the rights or the liabilities of the same.

Time when this act takes effect.
Proviso.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLÖCK.

No. 127.

AN ACT

For the relief of Mary Merryman, widow of an old soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized to pay to Mary Merryman, of Allegheny county, widow of Frederick Merryman, an old soldier of the Revolutionary and Indian wars, the sum of forty dollars as a gratuity, and an annuity of forty dollars per annum, from and after the first day of January, one thousand eight hundred and fifty-five, for and during the period of her natural life.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 128.

AN ACT

Validating the election and acts of School Directors in Butler county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all acts done or that hereafter may be done, in conformity with the provisions of the school law, by the school directors of the several school districts in the county of Butler, elected at the spring election of one thousand eight hundred and fifty-four, be and the same are hereby declared valid and effectual, in like manner as if said directors had been elected by classification, by designating upon the written or printed ballots the term or terms for which they were respectively to serve, and that the classification now adopted is hereby declared to be valid.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 129.

AN ACT

To prevent damage to a farm of Elizabeth Hall by the West Branch Division of the Pennsylvania Canal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That if it be practicable and expedient for the public interests, the canal commissioners shall be authorized to alter the place of discharge by waste water, so that thereafter the surplus water discharged from the West Branch division of the Pennsylvania canal, below the second lock from Loyalsock creek, on the farm owned by Elizabeth Hall and occupied by D. W. Bennet, in the county of Lycoming, shall empty at or near a gut a short*

distance from the same, and prevent the damage occasioned to the said premises by flowing over the land adjacent.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 130.

A SUPPLEMENT

To an act passed the twenty-ninth day of March, Anno Domini one thousand eight hundred and twenty-three, chartering the Columbia Water Company, in the borough of Columbia, Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the stock of the said company be and the same is hereby reduced from twenty-five dollars per share to ten dollars per share, and that the present board of managers, or any five of them or their successors in office, be and they are hereby authorized to issue additional certificates of stock, to such an amount as they shall deem sufficient to raise capital to re-construct their water works: *Provided,* That the said capital shall not exceed twenty-five thousand dollars.

Price of shares reduced.

Additional certificates of stock may be issued.
Proviso.

SECTION 2. That the water rates hereafter to be assessed shall be a lien on the freehold occupied by persons using the water, to be recovered in the same manner as taxes due the commonwealth are by law recoverable.

Water rates made liens.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 131.

A N A C T

To legitimate the children of Aaron Balliet, of Lehigh county

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Francis, Julia and Eleanor Balliet, of North Whitehall township, Lehigh county, illegitimate children of Aaron Balliet and Sarah his wife, shall have and enjoy all the rights, privileges, benefits and advantages of children born in lawful wedlock, and shall be able and capable in law to inherit and transmit any estate whatsoever, as fully and completely, to all intents and purposes, as if they had been legitimate children of the said Aaron Balliet and Sarah, now the wife of said Balliet, and that it shall be lawful for them to assume the name of Balliet: *Provided, That* said Aaron Balliet and wife shall present their petition to the court of common pleas of Lehigh county, consenting to this act, and to said children having such capacity to inherit and transmit any estate as aforesaid, and the said court shall make a decree to that effect.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 132.

A N A C T

Relative to a Tax on Dogs in the county of Fayette.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the provisions of the first, second, third and fourth sections of the act, entitled "An Act laying a tax on dogs in certain townships in the county of Chester," et cetera, approved the eleventh day of March, one thousand eight hundred and fifty, be and the

same are hereby extended to the several townships and boroughs of the county of Fayette.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 133.

A N A C T

Authorizing the President and Managers of the Limerick and Colebrookdale Turnpike Road Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the president and managers of the Limerick and Colebrookdale turnpike road company be and the same are hereby authorized to borrow any sum of money, not exceeding eight thousand dollars, upon the credit of said company, at an interest not exceeding six per cent. per annum, and reimbursable at such time or times as they may deem proper, not extending more than fifteen years, the said money to be applied to the construction and completion of said turnpike road, and for no other purpose whatever: Provided, That no bonds or certificates of loan shall be issued for a less sum than one hundred dollars.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 134.

A N A C T

Repealing an act relative to bounties on Fox Scalps in the counties of Schuylkill and Greene.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That an act relative to bounties on fox scalps in the counties of Schuylkill and Greene, passed April twenty-first, Anno Domini one thousand eight hundred and fifty-four, be and the same is hereby repealed.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 135.

A S U P P L E M E N T

To an act, entitled "An Act to erect the town of Huntingdon, in the county of Huntingdon, into a borough," passed March twenty-ninth, one thousand seven hundred and ninety-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the borough of Huntingdon, in the county of Huntingdon, shall from and after the passage of this act, consist of all the territory included within the following metes and bounds, to wit: Beginning at the Juniata river, where the Hickory corner, between George Croghan's and William Logan's survey stood, thence by the line between said surveys to William M'Murtrie's corner; thence by his line to Standing-stone creek; thence up the eastern side thereof, at low water mark, to a point opposite the north-eastern corner of William Orbison's out-lot; thence by John Simpson's line across said creek by William Orbison's out-lot, the Standing-stone creek road and Hartley and Kautz's*

*Borough limits
extended.*

lot, to said Simpson's corner, on the western line of the Smith survey; thence by the line between John M'Cahan's land and lots of said Hartley and Kautz, George Jackson and Daniel Africa, to Armstrong Willoughby's corner, in Annie Figart's hollow; thence up said hollow, including said Willoughby's land, to the extended eastern line of Bath street of said borough; thence down said line to the old boundary of said borough, and along the same to the centre of the Warm Springs road; thence up the centre of said road to the northern line of the Asher Clayton survey; thence by the same to where a hickory corner stood; thence by the line between the Renner farm and land of Hon. George Taylor to the said Juniata river; thence down the same, at low water mark, to the place of beginning.

SECTION 2. That said borough is hereby erected into a separate election district, and a separate district for the assessment of county rates and levies, and shall not hereafter be in any way connected with the township of Henderson in the assessment and collection of taxes.

Made a separate election and school district.

SECTION 3. That all the laws now in force relating to the said borough of Huntingdon, and the by-laws and ordinances thereof, are hereby extended to the territory included in the limits herein before described.

Ordinances extended over new territory.

SECTION 4. That all elections for said borough and district shall be held at the court house therein.

Election to be held at court house.

SECTION 5. That so much of the act incorporating said borough, passed the twenty-ninth day of March, Anno Domini one thousand seven hundred and ninety-six, authorizing the election of a town clerk, is hereby repealed; and that the burgesses and town council hereafter elected shall, at their first meeting annually, elect a competent secretary and a treasurer.

Election of secretary and treasurer.

SECTION 6. That the second, third (excepting the fourth article,) fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, seventeenth, eighteenth, nineteenth, twentieth, thirtieth, thirty-second and thirty-fourth sections of an act regulating boroughs, approved the third day of April, Anno Domini one thousand eight hundred and fifty-one, are hereby extended to and be of force in said borough of Huntingdon.

Certain sections of general borough law extended to Huntingdon borough.

SECTION 7. That as soon as practicable after the passage of this act, the street regulators of said borough for the time being, shall make an accurate survey of the boundary lines, streets, roads, lanes, alleys and public squares or lands thereof, and permanently mark the same, and make a correct map of said survey; and as soon as the same shall be completed, the chief burgess shall give notice, in one or more newspapers printed in said borough, that upon a certain day therein named, said draft or survey will be the subject of appeal to the council, and on said day the council shall hear any objection that may be made to the same, and shall adjudge and determine whether any and what alterations shall be made therein; after which the said regulators shall make a duplicate copy of the survey, or map, or draft determined by the council as aforesaid to be correct, and the same shall be filed in the office for the recording of deeds in said county, and the other copy shall be filed and kept with the papers of said corporation, and the said maps or drafts so filed, or a copy thereof, under the hand and seal of the proper officer having charge thereof, shall be conclusive as to the courses and width of the streets, roads, lanes or alleys, boundaries, et cetera, in said map or draft mentioned.

Survey of borough lines, &c., to be made.

Election of school
directors vali-
dated.

SECTION 8. That the election of school directors held on the sixteenth of March, one thousand eight hundred and fifty-five, shall be of like effect as if the same had been held under the provisions of this act; and the board of school directors is hereby declared to be organized, with like effect as though the same had not been affected by the general school laws of this commonwealth.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 136.

AN ACT

To incorporate a company to make a Plank Road from Hopewell to Bloody Run, in Bedford County.

Commissioners.

Style.

Subject to certain
acts.

Capital stock.
Proviso

Commencement
and completion.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John King, Thomas W. Horton, John Dasher, George Wishart, David Brallier, Matthew Peebles, William Hartley, James M. Barndollar, Benjamin R. Aschom, Thomas H. Murry, Alexander King and William P. Schell, of Bedford county, be and they, or any five of them, are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Hopewell and Bloody Run plank road company, with power to construct a plank or turnpike road, or part plank and part turnpike, from a point at or near Hopewell furnace to the town of Bloody Run, in the county of Bedford; subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved on the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the supplements thereto.

SECTION 2. That the capital stock of said company shall consist of six hundred shares, of twenty-five dollars each: *Provided,* That said company may, from time to time, by a vote of a majority of the stockholders, had at a meeting called for that purpose, increase their capital stock, if it shall be deemed necessary to carry out the true intent and meaning of this act.

SECTION 3. That if said company shall not commence the construction of said road in three years and complete the same within six years from the passage of this act, then this act shall

be null and void, except so far as may be necessary to wind up and settle the affairs, and pay the debts of the company.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 137.

AN ACT

To enable the Susquehanna and Waterford Turnpike Road Company to resume the possession of that part of said road located in the counties of Venango, Clarion, Jefferson and Clearfield.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of an act, entitled “An Act to enable the governor of this commonwealth to incorporate a company for making an artificial road from Waterford, in the county of Erie, by Meadville and Franklin, to the Susquehanna river,” approved the twenty-second day of February, Anno Domini one thousand eight hundred and twelve, as requires said road to be of the width of sixty feet, and of a grade not exceeding four and one-half degrees variation from a horizontal line in any one mile of said road, be and the same is hereby repealed, so far as the same applies to that part of said road located in the counties of Venango, Clarion, Jefferson and Clearfield.

Repeal of certain act relative to the Susquehanna and Waterford turnpike road.

SECTION 2. That the managers of said company may, at any time not more than four months after the final passage and approval of this act, resume the possession of said road (so far as the same is located in said counties,) erect gates and collect tolls on the same, according to the provisions of the act of assembly incorporating said company: *Provided*, That said company shall keep said road in good and sufficient repair, according to the provisions of said act, on the present location of said road, at its present grade and of a width of at least thirty feet.

Managers may resume certain part of road.

SECTION 3. That no proceeding shall be commenced against said company, or any agent thereof, for, on account or by reason of said road not being in repair as aforesaid, until the same has been out of repair during not less than thirty days, and in no case before the fourth day of July, Anno Domini one thousand eight hundred and fifty-six.

Certain proceedings regulated.

SECTION 4. That should said road at any time be out of repair, the supervisors, road commissioners, path-masters of the

Repair of said road regulated.

township or district which would by law be bound to repair said road, if such road was a township road, may enter upon and repair said road, and charge said company with the amount so expended, and collect the same from said company as debts of like amount are collected.

Road may be given up to the townships through which it passes.

SECTION 5. That a majority of the supervisors, road commissioners or persons performing the duties of supervisors, of a majority of the townships intersected by or bordering on said road in either of said counties, may at any time after the expiration of ten years from and after the fourth day of July, Anno Domini one thousand eight hundred and fifty-six, petition the court of quarter sessions of the county in which said townships are situated, to have said road given up by said company to the townships bound by law to repair the same, which petition or petitions shall be filed among the records of said court, and if no good and sufficient cause why the same should not be done is shown to said court, on or before the third term of said court next ensuing the presentation of such petition or petitions, the said court shall decree according to the prayer of the petitioners, which decree shall be final and conclusive.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 138.

AN ACT

To establish a Ferry over the river Susquehanna at or near Ulster, in Bradford county.

H. S. Davidson
authorized to es-
tablish a ferry.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Henry S. Davidson, his heirs and assigns, shall have the right and privilege, at their own expense, to make good and convenient landings on the east and west side of the Susquehanna river, at and near the mouth of Cash's creek, in Ulster township, Bradford county; thence across said river to the east bank, to the land of Gore's estate, in the township of Sheshequin, in Bradford county, and to use the river between the said landings as a public ferry: *Provided, That* no right of private property shall be invaded by the establishment of said ferry.

Provide

SECTION 2. That the said Henry S. Davidson, his heirs and assigns, shall keep the said landing and ferry in good order and

repair, fit for the transportation and passage of travelers, teams and carriages of all description, and keep good and sufficient boats and other crafts, and competent and careful ferrymen, who shall constantly, as occasion may require, attend for the purpose of carrying passengers, teams and carriages across said river, with all reasonable diligence and care. Ferry to be kept in good order.

SECTION 3. That the said Henry S Davidson, his heirs and assigns, as a remuneration for keeping up and in good repair the said landings and ferry as aforesaid, shall receive such tolls for carrying persons, teams, carriages, horses and other animals as may be prescribed by the court of quarter sessions of Bradford county, or as are received by other ferries of like character crossing the said river, and to extend a rope or wire across the river, if they may deem it advisable, to facilitate crossing: *Provided*, That the rope or wire shall not be so extended as to interfere with or obstruct the ascending or descending navigation of said river, or any public improvement of the commonwealth. Tolls. Proviso

SECTION 4. That if any person or persons shall wilfully pull down, cut or break, or in any way injure or destroy any rope, wire or boats, or other property, or shall take from its mooring any boat or craft belonging to said ferry, he, she or they so offending, shall each of them forfeit and pay to the said Henry S. Davidson, his heirs and assigns, the sum of twenty dollars, in addition to all damages sustained by the said Henry S. Davidson, his heirs and assigns, to be recovered as debts of like amount are by law recoverable. Penalty for injury to ferry, &c

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 139.

A FURTHER SUPPLEMENT

To an act to incorporate the Pittsburg and Steubenville Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the first section of a supplement to an act to incorporate the Pittsburg and Steubenville railroad company, approved the twenty-fourth day of February, Anno Domini one thousand eight hundred and fifty-three, shall not be so construed as to prohibit the county of Allegheny, at any time, in lieu of naming and appointing one or more directors, from voting on each share of the

capital stock held by it in said company, at the annual election of officers for said company ; and the provisions of the fifth section of an act regulating railroad companies, approved February nineteenth, Anno Domini one thousand eight hundred and forty-nine, be and the same are hereby declared applicable to the said county of Allegheny, should it not wish to appoint director or directors at any time in said company ; and that said company may hereafter, at their option, waive the right to plead usury, or prosecute any complaint for the same.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 140.

AN ACT

Relative to Hancock street, in the city of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the third section of an act, entitled "A supplement to an act incorporating the Coal Hill and Upper Saint Clair turnpike and plank road company," passed May the fifth, one thousand eight hundred and fifty-four, be and the same is hereby repealed ; and the sixth section of "An Act providing for a lock-up house in the borough of Harrisburg ; relative to the auditors of said borough, and the collection of taxes in the same," et cetera, passed the twenty-sixth of February, one thousand eight hundred and fifty-two, repealed by said third section, be and the same is hereby revived in as full force and effect, as if the same had not been repealed : Provided however, That all costs which have accumulated under the provisions of said third section, so far as the opening of Hancock street is concerned, shall be paid by the county of Allegheny.*

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 141.

AN ACT

Relating to the Subscriptions of Allegheny county to certain Railroad Companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act, entitled "An Act supplemental to an act, entitled 'An Act to incorporate the Cleveland and Pittsburg railroad company,'" approved the second day of March, one thousand eight hundred and fifty-five, be and the same are hereby extended to all railroad companies, to the capital stock of which companies subscription has been made by the county of Allegheny, on special contract or agreement with the county commissioners.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 142.

A SUPPLEMENT

To an act relative to the erection of a Bridge over the Youghiogheny river, in Fayette county, approved the twenty fourth day of February, one thousand eight hundred and fifty five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the act to which this is a supplement, relative to the erection of a bridge over the Youghiogheny river, approved the twenty-fourth day of February, Anno Domini one thousand eight hundred and fifty-five, be so construed as to authorize said company, if they deem it expedient, to alter the location of said bridge as fixed by said act, any distance not more than one-half mile from the points specified in said act ;

and that the names of William M. Burney, William Magill and James Rankin be added as corporators of said company.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 143.

A SUPPLEMENT

To an act, entitled "An Act to incorporate the Point Breeze Park Association."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Point Breeze park association shall be and they are hereby authorized to increase their capital stock ten thousand dollars, to be divided into shares of two hundred and fifty dollars each, and to sell, issue or otherwise dispose of such an additional number of shares of stock, as may be necessary to effect such increase, in such manner, and at such times and places, as may be ordered by the directors of said company.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 144.

AN ACT

To incorporate the Conestogo and Beaver Valley Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Black, William Carpenter, Christian Kieffer, H. E. Muhlenberg and John A. Hiestand, of the city of Lancaster, Samuel Miller, of Lancaster township, Martin Kreider, Sr., Benjamin Herr, of West Lampeter township, John Strohm, Francis Mylin and John Peoples, of Providence township, Lancaster county, are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the "Conestogo and Beaver Valley turnpike road company," with power to construct a turnpike road from the intersection of the old Factory or Strasburg road with Vine street, in the city of Lancaster, to the Main street at the public house of John Tweed, in the village of New Providence, Providence township, Lancaster county, by the following route: From Vine street, along the Strasburg road to the Conestogo creek, near Miller's cotton factory, with the right to deviate from the old road wherever deemed expedient, and use the present factory bridge, or cross the creek near it and erect a new bridge; from the Conestogo creek to pursue the most eligible route, with respect to grade and direction, so as to join the public road from the Strasburg road to the Buck tavern, northward of the junction of the road, via. Stoner's saw mill, on Mill creek; thence following the road and continuing southward the line or range of the same, immediately north of said junction, as near straight as can be to Mill creek, for a suitable crossing of the stream; thence by the nearest and best route to the intersection of a public road from Strasburg to Blue Rock, near Big Spring, and westward of the dwelling house of Christian Rohrer, at the union of a new laid out township road; running thence to a road leading from Pequea valley to Herr's bridge over Pequea creek, occupying said township road so far as deemed practicable, and touching the public road from Herr's bridge to Green Tree tavern, either northward or southward of said bridge, with the right to use the said bridge or erect a new one at another point; and taking the route thence preferred to the Green Tree tavern, in the valley of Beaver creek; from the Green Tree tavern pursuing said valley generally, by the present road, with full power at any point to vary therefrom to the termination; subject to all the provisions and restrictions of the act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto.

Commissioners.

Style.

Route.

Subject to certain acts.

SECTION 2. That the capital stock of said company shall consist of twelve hundred shares, at twenty-five dollars per share: *Provided,* That said company may, from time to time, by a vote

Capital stock.

Provided.

of the stockholders, at a meeting called for that purpose, increase their capital stock so much as may be necessary, in their opinion, to carry out the true intent and meaning of this act.

Toll-gates.

SECTION 3. That whenever said company shall have finished said road from its aforesaid beginning to the stated point on the Strasburg and Blue Rock road, near the Big Spring, they shall have power to erect gates and receive tolls, agreeably to the conditions and restrictions of sections twelve and thirteen of the said act relating to turnpike and plank road companies.

Commencement
and completion.

SECTION 4. That if said company shall not commence the construction of their road within two years, and complete the same, from its beginning to the said point on the Strasburg and Blue Rock road, near Big Spring, within five years, this act shall be null and void to the extent of that portion of the road, and to the remainder if not finished in seven years from the passage of this act, except so far as the same may be necessary to settle up the affairs and pay the debts of the company.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 145.

AN ACT

Relative to David S. Umbenhour, of Huntingdon county, Collector of certain Militia Fines.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time limited within which exonerations may be made for militia fines, for the year one thousand eight hundred and fifty four, be and the same is hereby extended for a period of thirty days, from and after the passage of this act, so far as it affects the accounts of David S. Umbenhour, collector of Shirley township, Huntingdon county.*

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 146.

AN ACT

Declaring the West Branch of Tionesta Creek, in Warren county, and Big Run, in Jefferson county, Public Highways.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the stream of water known as the West Branch of the Tionesta creek, in Warren county, be and the same is hereby declared to be a public highway, as far up said stream as the west line of lot number five hundred and ninety-seven, in Cherry Grove township, in said county. West Branch of Tionesta creek declared a public highway.

SECTION 2. That Big run, from the residence of William Bests, in Young township, Jefferson county, to the mouth of the same, where it empties into the Big Mahoning creek, is declared to be a public highway. Big run, Jefferson county, declared a public highway.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 147.

A FURTHER SUPPLEMENT

To an act passed the ninth day of April, one thousand eight hundred and fifty-two, authorizing the laying out of a State Road leading from the borough of Tunkhannock, in the county of Wyoming, to Towanda, in the county of Bradford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners appointed in pursuance of said act and supplements thereto, are hereby required to report to the court of quarter sessions of said counties, a diagram of such sections of the new line laid by them of said road, as are in their opinion too expensive to be opened by the several townships through which said road is laid, with an estimate of the sum or sums Diagram to be reported to the court of quarter sessions

which, in their judgment, may be necessary to enable them to open the same.

Opening of road,
how paid.

SECTION 2. That on reception of said diagram and estimate, the respective county authorities, upon petition, are hereby authorized to appropriate, from time to time, such sum or sums (under the same rules and regulations as in case of county bridges,) out of the treasuries of the respective counties, as may be deemed sufficient to assist in opening said road.

Road officers to
expend appro-
priations.

SECTION 3. That the aforesaid appropriation shall be applied under the direction of the proper road officers, supervisors or road commissioners of said townships, upon their giving security, to be approved by the county commissioners of said county, for the faithful application and disbursement of the same: *Provided*, That any moneys appropriated by the foregoing act, shall be laid out within the counties making said appropriation.

Proviso.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 148.

AN ACT

To extend the Charter of the Bank of Pennsylvania.

Charter extended
for twenty years.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the corporate duration of the president, directors and company of the Bank of Pennsylvania, with its present capital divided into shares of one hundred dollars each, and the act thereto relating, approved the thirtieth day of March, one thousand seven hundred and ninety-three, together with all the acts supplementary to, and connected with the said act, be and the same are hereby extended and continued in full force for the term of twenty years, from and after the expiration of the present charter of said bank; subject, nevertheless, to the provisions, restrictions and conditions, and with all the rights, privileges and immunities mentioned and contained in the act of the general assembly of this commonwealth, entitled "An Act regulating banks," passed the sixteenth day of April, one thousand eight hundred and fifty, and the several supplements thereto, except the fiftieth section of the act of the sixteenth of April aforesaid, and except also so far as the said act, or other existing acts, are herein

Subject to certain
acts.

otherwise altered or supplied; and that the said bank shall continue to perform the duties of transfer agent of the loans of this state, and disburse the interest on the same; in consideration of which services, the said bank shall be entitled to an annual abatement of six thousand dollars from the taxes to which the said corporation shall be liable: *Provided*, That the state may at any time discontinue the agency of said bank, in keeping the transfer books of the public loans, and in such an event, the compensation herein provided for shall cease and determine.

Bank to be transfer agent of the State.

Compensation therefor.
Proviso.

SECTION 2. That the affairs of the said bank shall continue to be conducted by its present number of directors, who shall be elected on the second Monday of January in each year, and who shall assemble on the Tuesday succeeding their election, to choose one of their number to be president of said bank; the stated general meetings of the stockholders thereof shall be held on the second Monday of January in each year; and the semi-annual dividends of the profits may be declared on the first Monday of the months of January and July.

Election of directors

General meetings of stockholders.

SECTION 3. That the bond required to be given to the commonwealth by the cashier of said bank, shall be in the sum of fifty thousand dollars.

Bonds of cashier to Commonwealth.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 149.

AN ACT

Relating to the Real Estate of Sarah H. Butler and Mary Ann Laning, deceased.

WHEREAS, Sarah H. Butler, late of the borough of Wilkesbarre, Luzerne county, deceased, and Mary Ann Laning, of Owego, Tioga county, state of New York, deceased, did respectively own, at the time of their decease, undivided interests in various tracts of coal lands, and coal rights reserved in lands sold, and in other lands set out in partition, and each held coal lands and coal rights as aforesaid, absolutely in her own right, and as her separate estate, situate in the said county of Luzerne; and said Sarah H. and the said Mary Ann having each left minor heirs, great difficulty and embarrassment is encountered in developing said coal lands and coal rights, and making the same available and productive to the said heirs:

And whereas, The said Sarah H. and her husband, the late Chester Butler, separately and together made many sales of her

real estate, in writing and parol, in which she held the whole, or an undivided interest, as an heir of Mathias Hollenback, deceased, and otherwise, in several counties of this commonwealth:

And whereas, The said Mary Ann made many sales of real estate, in writing and parol, where she held the whole or an undivided interest, as an heir of the said Mathias Hollenback, deceased, and otherwise, in several counties of this commonwealth:

And whereas, Many sales of lands, situate in this commonwealth, belonging to the heirs of Mathias Hollenback, deceased, late of said Wilkesbarre borough, were made by him in his life time, and by his heirs afterwards, by writing and parol, in which the said Sarah H. and the said Mary Ann held their undivided interests:

And whereas, Many of the said purchasers have made valuable improvements, and are not yet able conveniently to pay balances of purchase money, and desire further time and indulgence, and the said heirs being willing to give indulgence and time to said purchasers and settlers, if conveyances can be made and mortgages taken to secure said balances:

And whereas, The said Sarah H. and the said Mary Ann, each at the time of their death, held and owned large quantities of lands in this state, mostly unimproved, in her own right and undivided interests, and shares in other lands in this state, portions of which it is desirable to sell and convey:

And whereas, Many sales of lands so owned by the said Sarah H. and Mary Ann, were made in writing and parol, by agents having only parol authority, and such authority in numerous instances cannot now be established by legal proofs, and under said sales purchasers having paid portions of the contract price, cleared and improved their lands, it is just that the guardians of said minors should have authority to join with the other heirs in making conveyances, where they are satisfied good faith requires them so to do:

And whereas, It is for the advantage of said minor heirs, and the desire of their guardians, to some extent to preserve their interest in the said coal lands and coal rights, if the same may be developed and made productive; from the great number of parties in interest, it is believed that the only mode of accomplishing these purposes, and avoiding embarrassments of apparent frequency, will be to authorize the said guardians to join with the other heirs in forming a mining company or companies, and receiving certificates of stock for their wards respectively; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the guardian of the minor children of Mary Ann Rutter, late of said Wilkesbarre borough, deceased, (the said Mary Ann Rutter, deceased, having been a daughter of the said Sarah H. Butler,) and the guardian of the minor child of Ellen H. Bickling, deceased, late of the city of Philadelphia, (the said Ellen H. Bickling having been a daughter of the said Mary Ann Laning,) are hereby respectively authorized and empowered to grant, bargain, sell and convey, at public or private sale, in fee simple or otherwise, the undivided interests of the said minor children, in any and all lands, coal rights and reservations, wherever situate in this commonwealth, at such prices as they may respectively deem proper and adequate; and the said guardians may re-

spectively join with the other heirs of the said Mary Ann Laning and the said Sarah H. Butler, in a lease or leases of any of said coal lands, coal reservations or rights, where the said minors have undivided interests, for such time, and upon such conditions and prices as they may respectively judge proper and expedient; and any and all conveyances by the said guardians respectively, to the purchaser or purchasers of said lands, coal reservations and rights, shall invest the said purchaser with a complete and perfect title to the same, according to the terms thereof, as effectually to all intents and purposes as if made by the said minor heirs after attaining full age, and with like effect as to any and all leases that may be made in pursuance of this act: *Provided always*, That the said guardians shall respectively report all sales and leases, made under the provisions of this act, to the orphans' court of Luzerne county, and the same to be approved by said court before any deed, conveyance or lease therefor shall be executed; and the court shall at the time of such approval, direct whether any surety, and if any, to what amount, shall be given by said guardians respectively for the faithful appropriation of the proceeds of such sale or sales, or lease or leases, for the use and benefit of the said wards; and where surety is ordered to be given, the sureties to be approved by said court.

SECTION 2. That the administrators of the said Sarah H. Butler, deceased, and the survivor of them, or one of them in case of the absence of the other from the United States, are hereby authorized, jointly with the heirs of the said Sarah H. Butler, who are all of full age, and the guardian of any minor heirs of said decedent, to convey to the purchaser or purchasers all lands sold by the said Sarah H. Butler, and all of her lands sold by the said Chester Butler, by contracts in writing, or parol, or lands agreed as aforesaid to be sold by them jointly; and the said administrators or administrator, and the said heirs and guardian, are hereby authorized and empowered to convey to the purchasers, according to the provisions of the various contracts and agreements, all the estate, right, title and interest that the said Sarah H. Butler had therein, at and immediately before her death; and in like manner, and with like effect to convey, where contracts had been made by Mathias Hollenback, and where the lands and contracts fell to the said Sarah H. Butler, in the partial partition of the estate of Mathias Hollenback; and in like manner and with like effect to convey, in all cases where contracts for the sale of lands, in which the said Sarah H. Butler had the whole or an undivided interest, have heretofore been made by any person whom the said administrators or administrator, and heirs, and guardians, recognize as having had authority to sell, whether said contracts be in writing or parol: *Provided*, That the said administrators or administrator shall have power to extend and fix the times of payment of purchase money, where there may be any in arrear, and where the said administrators or administrator shall secure by judgment, lien or mortgage, any unpaid purchase money on the land conveyed, and shall keep the same a lien, they shall not be answerable for any moneys that cannot be collected thereon, and do not come to their hands: *And provided*, That the guardian of said minor heirs may receive assignments of the proportionate interest of said minor heirs in such unpaid purchase money,

secured as aforesaid, and for the use and benefit of his said ward or wards.

SECTION 3. That the guardian of the minor children of the said Mary Ann Rutter may and he is hereby authorized to join with the other heirs of the said Sarah H. Butler, in selling any timber from lands in which the said Sarah H. Butler had the whole or a part interest, and to receive their shares of the purchase money for their use.

SECTION 4. That the guardian of the minor children of the said Mary Ann Rutter may and he is hereby authorized to join with the other heirs of the said Sarah H. Butler, in granting right of way for the Lackawanna and Bloomsburg, or any other railroad company, to pass over lands belonging to said heirs, in whole or in part; and also to grant right on same lands for side tracks, and depot, and other buildings, upon such terms and conditions as the other heirs of said decedent shall agree to.

SECTION 5. That the guardian last named, may join with the other heirs of said Sarah H. Butler, in making and receiving releases between them and any other of the heirs of the said Mathias Hollenback, touching their lands, when all of the heirs of the said Sarah H. Butler, who are of full age, may deem and consider the same conducive to their interests, and such releases of the said guardian shall be approved by the said court.

SECTION 6. That the guardian of the minor child of Ellen H. Bicking may join with the legal representatives of the said Mary Ann Laning in this state, and with the heirs, who are of full age, of the said Mary Ann Laning, to make any conveyances of lands sold by the said Mary Ann Laning in her life time, or by others with her approbation, and to the satisfaction of her heirs, where she held the whole or an undivided interest, as set forth in the preamble, in like manner and with like effect as set forth in the second section of this act, securing the purchase money as therein set forth, and with like liability, and with like power to the guardian to take assignments.

SECTION 7. That the guardian of the minor children of the said Mary Ann Rutter may join with the other heirs of the said Sarah H. Butler, who are of full age, where they hold such among themselves, and where they hold with any other tenants in common, to lease coal lands and rights in the manner specified in section first of this act, and under the restrictions there provided.

SECTION 8. That the guardian of the minor child of Ellen H. Bicking may join with the other heirs of the said Mary Ann Laning, who are of full age, where they hold such among themselves, and where they hold with any other tenants in common, to lease coal lands and coal rights in the manner specified in section first of this act, and under the restrictions there provided; and the said guardian may join with said other heirs and others in granting right of way to railroad companies in the same manner as specified in section fourth of this act; and said guardian may join with said other heirs in making releases, as specified in section fifth of this act, and under the restrictions there provided.

SECTION 9. That it shall and may be lawful for the said guardians, severally, to report to the orphans' court of Luzerne

county their desire, in behalf of their wards, to join with other joint owners, tenants in common, or joint tenants of said coal lands, coal rights and reservations, in forming a mining company or companies, under the laws of this commonwealth; the said report shall specify the proposed corporate name of said company, a description of the lands, coal rights or reservations proposed to be held by said company, the number of shares into which said land is to be divided, the names of the other owners, the proposed number of shares into which the stock is to be divided, and the number going to each owner, and the number and names of the directors who are to manage until an election be held; and if on such report the said court shall be satisfied that the interests of said minors will be promoted by having their shares in the land converted into stock, the said report shall be approved and filed of record in said court; and thereupon it shall and may be lawful for the said guardians severally, in the name of each particular ward, and for and on his or her behalf, to join with the other owners of said coal lands, coal rights and reservations, in signing and acknowledging the certificate in writing, required by the laws of this commonwealth in forming mining companies, and to do and perform all other matters, acts and things necessary and proper in the formation of a mining company, as fully and entirely as though they were themselves owners and acting as such: *Provided*, That the said minor heirs shall be the corporators, and the certificates of stock shall be issued in the name of each minor for his or her share respectively: *And provided*, That the said certificate for forming such company shall agree with the matters set forth in the report to the said court, as to the matters required to be reported as aforesaid: *And provided*, That said certificates of stock shall not be assignable or transferable during the ward's minority.

SECTION 10. That during the minority of said wards, their said guardians shall have full power and authority to represent and act for the interest of their said several wards, but they shall not be entitled to draw any dividends on said stock, without first giving additional security, to the satisfaction of the said court.

SECTION 11. It shall and may be lawful for the other owners, with the said minors, of said coal rights and reservations, to join with said guardians, and include in the certificate, under the general laws regulating the formation of mining companies in this commonwealth, the said coal rights and reservations, and the same in shares and in stock to hold, use and convey, in the same mode and manner as if the same were mineral lands.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

We certify that the bill, entitled "An Act relating to the real estate of Sarah H. Butler and Mary Ann Laning, deceased," passed the fourteenth day of March, Anno Domini one thousand eight hundred and fifty-five, was presented to the governor on the fourteenth day of March, one thousand eight hundred and fifty-five, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has,

agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

ADIN W. BENEDICT,
Clerk of the House of Representatives.

GEO. W. HAMERSLY,
Clerk of the Senate.

March 28, 1855.

No. 150.

A SUPPLEMENT

To an act to lay out a State Road in Dauphin and Lebanon counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* David Reinachl, of Dauphin county, and William Reiner, of Schuylkill county, are hereby appointed in the place of John M'Allister, Jr., of Dauphin county, and J. L. Nutting, of Schuylkill county, to view and lay out a state road, beginning at a point between Neidlinger's saw mill and John M'Allister's hotel, in Rush township, Dauphin county; thence by the best route to a point between Gold Mine Gap and Roush Gap, to the Dauphin and Susquehanna railroad, in Lebanon county; and that so much of the first section of the bill to which this is a supplement, be and the same is hereby repealed: *Provided*, That the said commissioners shall make return of their proceedings, in accordance with the provisions of the third section of the act to which this is a supplement, on or before the first day of November next, after the passage of this act.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 151.

SUPPLEMENT

To an act to authorize the construction of a Plank Road from the Lewistown and Tuscarora bridge to the Pennsylvania Railroad, passed the twenty second day of March, Anno Domini one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the president and managers of the Lewistown and Tuscarora bridge company be and are hereby authorized to repair and alter so much of the plank road mentioned in the act to which this is a supplement, as they may think necessary and proper, by removing the plank from said road and substituting any covering of wood, gravel, stone, slate or other hard substance, which shall enable them to maintain and keep the said road in good order and repair.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 152.

AN ACT

To authorize the Commissioners of Schuylkill county to purchase a certain Lot of Ground.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* it shall and may be lawful for the county commissioners of the county of Schuylkill, to purchase and receive a conveyance to the said county, of all that certain lot of ground belonging to the estate of George W. Farquhar, deceased, situate in Pottsville, south of the public court house lot, and bounded by Minersville street, Second street and the court house lot: *Provided,*

That the price to be paid therefor shall not exceed the sum of four thousand dollars, to be paid out of the county funds.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 153.

AN ACT

To authorize the Philadelphia, Wilmington and Baltimore Railroad Company to Declare and Pay Dividends of Stock in certain cases.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall and may be lawful for the stockholders of the Philadelphia, Wilmington and Baltimore railroad company, at any annual or adjourned meeting, to authorize the president and managers of said company to declare a dividend out of the net profits of the preceding year, or half year, as the case may be, payable in whole or in part in certificates of stock or debt of said company: Provided, That no certificate of stock or debt shall be issued and paid by virtue of this act, for a less amount than the par value thereof: And provided further, That if the dividend due to any stockholder shall not amount to the par value of a share of stock, or if there should be any fractional part of a share due to a stockholder, at the declaration of any dividend under this act, then and in that event the amount due to said stockholders, less than the par value of a share of stock, shall be credited to him on the books of the company, and so from time to time, until the amount thus credited to him shall be equal to the par value of one share of stock, when the same shall be created and issued to him as aforesaid: And provided further, That upon the declaration of any dividend under this act, said company shall be required to pay into the state treasury, in cash, within thirty days, the tax to which the stock of said company would have been liable if the dividend had been paid in money: And provided further, That the increase of capital stock authorized by this act, shall not amount to a greater sum than the present indebtedness of the company.*

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 154.

A SUPPLEMENT

To an act, entitled "An Act to incorporate the American Sunday School Union," passed the fifteenth day of April, one thousand eight hundred and forty-five.

WHEREAS, The society incorporated by the act to which this is a supplement, has sold the lot of ground and buildings thereon erected, situated on the south side of Chestnut street, between Sixth and Seventh streets, in the city of Philadelphia, lately occupied by it, and has purchased another lot of ground, situate on the south side of said Chestnut street, between Eleventh and Twelfth streets, in said city, containing about thirty feet in front on said Chestnut street, and about two hundred and thirty-five feet in depth, to George street, whereon it has erected a store and warehouse for the use of said society, which are now occupied and used for the purposes of said society; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That nothing contained in the act to which this is a supplement, shall prevent the corporation thereby created from holding the said lot of ground and buildings thereon erected, situated on the south side of Chestnut street, between Eleventh and Twelfth streets, with the rights, privileges and appurtenances thereto belonging; but that the said American Sunday School Union, their successors and assigns, may fully and freely have, hold, use, enjoy, mortgage, sell, convey and dispose of the same, and any part thereof; and that the proviso contained in the first section of the said act to which this is a supplement, shall extend and apply only to such real estate as may at any time be held and owned by the said corporation, other than that which is or may be occupied and used by the said society for the purposes of its business.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 155.

AN ACT

Relative to the Philadelphia and Sunbury Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Philadelphia and Sunbury railroad company be and they are hereby authorized to issue certificates of stock to be called preferred stock, and to sell the same either at public or private sale, for the purpose of paying the floating indebtedness of the company; and on the said preferred stock shall be paid a dividend of six per centum per annum, out of the net earnings of the road, before any dividends shall be paid upon the stock heretofore issued, and after the payment of the said dividend of six per centum, the said preferred stock shall be entitled to a pro rata dividend of the remaining net earnings of the road, in common with the stock already issued; and they may, from time to time, issue stock to the amount of the annual interest upon the bonds of the company, together with the sum paid annually to the sinking fund, and divide the same among the then stockholders, pro rata, in proportion to the stock held by them: Provided, That the said dividends may be declared, and paid in the stock of the company, whenever the net earnings of the road shall have been absorbed or expended in renewing or increasing the equipment of the road, and the said company may take and hold in fee simple the land now equitably held by it, and mortgaged to secure the payment of its bonds: Provided, That the amount thereof shall not exceed three thousand acres: And provided further, That no preferred stock shall be created under this act, unless the assent in writing of two-thirds in value of the stockholders be first obtained.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 156.

AN ACT

Relative to lighting the city of Erie with Gas.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That upon the petition of a majority in number of the owners of real estate on any street, or part of a street, in the city of Erie, to have such street, or part of a street, lighted with gas, the mayor and select and common councils of said city may and are hereby authorized to contract with the Erie gas company, and fix by written agreement the price to be paid for the gas used to light said streets, and to make such other needful terms and conditions as they may mutually agree upon, for this object and the interest of the town; after which the city authorities of Erie are authorized, at their discretion, to proceed to erect proper posts and lamps on such street, or part of street, to the extent prayed for in the said petition, and to light the same with gas.

Gas to be introduced on petition.

Price to be paid

SECTION 2. That concurrent with the said erection of posts and lamps, as provided for in the first section of this act, the said mayor, select and common councils shall, by ordinance, levy a tax upon the real estate in and upon said street, or part of a street, so lighted as aforesaid, to be called the street light tax, sufficient in amount to pay for the costs and charges of erecting such posts and lamps, and of lighting the same with gas from the time of their erection to the first day of January then next ensuing; which said tax shall be levied and assessed upon the valuation of the said real estate made for the purpose of the levying and assessing the city taxes; and on each and every year thereafter, the said mayor and select and common councils shall levy and assess upon the real estate of each street, or part of a street so lighted, a tax at the time of assessing other city taxes, sufficient in amount to pay for the lighting of the said lamps with gas, for the year then next ensuing, which tax shall be made upon the valuation aforesaid; and the said tax shall be collected by the collector of city taxes, in the same manner, and with the same powers of enforcing the collection of the same against the person or personal property found upon any premises so taxed: *Provided always,* That if the tenant, or any person residing on said premises, shall pay the said street light tax, he may defalcate and set off the same against any rent he may owe, which thereafter may become due from him for the use of said premises, or he may collect the same of said landlord or owner of the premises, as debts of a like amount are now collected by law: *Provided further,* That the said tax shall be specially set apart and appropriated for the purposes for which it is levied, and not go into the general fund of the city: *Provided further,* That the mayor and councils may, whenever and in their opinion the same would be equitable, appropriate out of the funds of the city such per centage of the cost of lighting any of said streets, or parts of streets, as they may deem proper.

Tax to be levied

Tax, how collected

Proviso.

Proviso.

Proviso

Collection of said
tax regulated in
certain cases.

Proviso

Proviso

SECTION 3. That if the said street light tax shall not have been paid by the first day of August of any year, and notice shall have been given to the owner or reputed owner either personally, or by written or printed notice left at his residence with an adult member of his family, or in case the owner or reputed owner be a non-resident, then to his resident agent, if he have one, at least thirty days previous thereto, or in case of a non-resident having no agent at Erie, then by written or printed notice, addressed to his last known place of residence, at least sixty days previous thereto, the mayor may proceed to receive and collect the same as follows, to wit: The collector shall make out a written statement of the amount of tax due from such person, and append thereto his affidavit of the correctness thereof, together with an affidavit of the service of the notice in the manner above prescribed, and the prothonotary of the court of common pleas shall enter judgment on the same, with costs of suit and ten per centum damages, said judgment to bear interest from the day of its entry; which judgment shall be in the form following, to wit: The city of Erie versus A. B., owner or reputed owner, with a description of the lot, part of a lot or piece of land upon which the said tax was assessed, and the said judgment shall become a lien against said land, and may be prosecuted to execution and collection in the same manner as judgments are now collected: *Provided*, That no execution shall issue on any judgment so entered as aforesaid, until four months after the entry of the same: *Provided always*, That the mayor may proceed at any time after the first day of August, in any year, to secure and collect the said tax in the manner aforesaid, if the notice has been given the requisite time previous to his so proceeding.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 157.

AN ACT

To incorporate the Lehigh and Delaware Plank Road or Turnpike Company

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Thomas T. Miller, Philip Mixell, Jr., Depue S. Miller, William*

D. Brown, Isaac Lewis, George K. Slutter, Henry Stoddard, Commissioners.
 Joseph Brown and Joseph Fenner, or a majority of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the "Lehigh and Delaware plank road or turnpike company," with power to construct a plank or turnpike road from some point at or near Cumfortsville, in the county of Luzerne, by the nearest and most practicable route to some point on the Delaware, Lackawanna and Western railroad, in the county of Monroe, subject to all the provisions and restrictions of the act incorporating the Bear Creek and Lehigh plank road company, approved May fourth, Anno Domini one thousand eight hundred and fifty-two, and the supplements thereto.

SECTION 2. That the capital stock of said company shall consist of six hundred shares, of twenty-five dollars each: *Provided*, That said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital so much as in their opinion may be necessary to complete the said road, and carry out the true intent and meaning of this act.

SECTION 3. That if said company shall not commence the construction of the said road within three years from the date of the passage of this act, and complete the same within ten years thereafter, this act shall be null and void, except so far as may be necessary to wind up the affairs and pay the debts of said company.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK

No. 158.

AN ACT

For the relief of William P. Cooper.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the canal commissioners be and they are hereby authorized and empowered to examine the claim of William P. Cooper, for damages alleged to have been sustained to his person on the Philadelphia and Columbia railroad; and if they shall clearly ascertain that the injuries were caused by neglect of the state*

LAWS OF PENNSYLVANIA,

officers, they shall ascertain the amount of damage, and report the same, together with the statement of the facts, to the legislature.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 159.

AN ACT

In relation to Hawkers and Pedlers in Clarion county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That sections nine and ten of act number two hundred and ninety-two, in relation to hawkers and pedlers in Bradford and Beaver counties, and for other purposes, passed the twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-two; also, the fifteenth section of an act supplementary thereto, number three hundred and seventy-four, passed the second day of May, Anno Domini one thousand eight hundred and fifty-three, be and the same is hereby extended to Clarion county*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 160.

AN ACT

For the preservation of Game in York, Montgomery and Lancaster counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from the twentieth day of January until the twentieth day of October, in each and every year hereafter, it shall be unlawful for any person to shoot, kill or destroy any pheasants or partridges in the counties of York, Montgomery and Lancaster, under the penalty of ten dollars and costs for each and every offence, to be sued for and recovered before any magistrate in the county in which the offence was committed, one-half of the penalty for the use of the informer, who shall be a competent witness, the other half for the use of the poor of the county.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK

No. 161.

AN ACT

To incorporate the Mechanics' Bank of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Hopewell Hepburn, Springer Harbaugh, James A. Hutchinson, James Schoonmaker, Reuben Miller, R. H. Hartley, W. O. Leslie, William J. Anderson, James Park, Jr., A. H. Gross, David Campbell, George W. Jackson, Isaac M. Pennock, Robert Daltzell, George C. Franciscus, John W. Butler, H. L. Ringwalt, A. Kirk Lewis, George W. Cass, Samuel M'Clurkin, A. King, James H. Knox, S. Jones, T. K. Holmes, R. Patterson, Andrew Burke, Robert Galway, W. M. Hershe, J. K. Moorehead, William

H. Smith, William R. Nimick, William F. Johnston, A. W. Loomis, William B. Holmes, J. S. Dillworth and J. B. Lyon be and they are hereby appointed commissioners, who, or a majority of whom, are authorized and empowered to establish a bank, to be called and known by the name, style and title of the Mechanics' Bank of Pittsburg, to be located in the city of Pittsburg, in the county of Allegheny, with a capital of five hundred thousand dollars, which shall be divided into ten thousand shares of fifty dollars each; to be organized, managed and governed as is provided for by the act regulating banks, approved April sixteen, one thousand eight hundred and fifty, and to be subject to all the provisions and restrictions, and to enjoy all the immunities and privileges contained in said act.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 162.

AN ACT

To incorporate the City Bank of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Andrew M. Eastwick, Joseph S. Lovering, Algernion S. Roberts, David George, Jesse George, George W. Richards, Henry Duh-ring, Robert Selfridge, Robert L. Martin, William B. Goddard, Samuel Hutchinson, John M. Coleman, John W. Stokes, William Baird, James Hunter, J. P. Wetherill, Robert S. Reed, J. W. Fletcher, T. T. Derringer, James Simpson, Conrad S. Grove, A. C. Roberts, Samuel Field, A. B. Cummings, H. B. Stevens, Chas. E. Smith, Richard Blundin, J. B. Hughes, Robert Reed are hereby appointed, and they, or any thirteen of them, are authorized to carry into effect, from and after the passage of this act, the establishment of a bank, to be called the City Bank, to be located in the city of Philadelphia, with a capital of five hundred thousand dollars, to be divided into shares of fifty dollars each, and to be organized, managed and governed as is provided by the act regulating banks, approved April sixteenth, Anno Domini one thousand eight hundred and fifty, and the several supplements thereto, and to enjoy all the privileges and immunities, and be subject to all the restrictions contained in

said act: *Provided*, Said bank shall not be located south of Market or High street, nor east of Sixth street, in said city of Philadelphia.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 163.

AN ACT

For the partial restoration of the Capital of the Bank of Penn Township, in the county of Philadelphia.

WHEREAS, A large portion of the capital stock of the said bank became invested in unavailable loans and securities, and the legislature of this commonwealth, by an act passed the tenth day of March, one thousand eight hundred and forty-three, reduced the capital of the said bank from five hundred thousand dollars to two hundred and twenty-five thousand dollars:

And whereas, A considerable portion of the said unavailable loans have since been recovered, and now forms a part of the assets of the said bank; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the sum of one hundred and twenty-five thousand dollars be and is hereby restored to the capital stock of the Bank of Penn Township, in the county of Philadelphia, so that the whole capital stock shall be three hundred and fifty thousand dollars, and the par value of each share thereof shall be thirty-five dollars.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 164.

AN ACT

To authorize the re-location of certain Streets in the city district of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* R. E. M'Gowin, C. B. M. Smith and George E. Peebles be and are hereby appointed commissioners to re-locate the streets of the city district of Pittsburg, lying south-east of Bates street, and north and east of Frazer and Halket streets, so that they may conform to the shape of the ground and answer public convenience, with due regard to private property; and that said commissioners return a map or plan of the location made by them to the court of quarter sessions of Allegheny county, which shall be deemed and taken to be a part of the original plan of said district, unless after the notice prescribed by the act authorizing said plan, it be excepted to by parties interested in the land occupied by said streets; and if any exceptions be filed, the said plan may be altered or approved by said court, with the right to any such party to remove the proceedings to the supreme court of the proper district, whose action thereon shall be final: *Provided, That* said commissioners shall not devote more than ten days to field operations, in the discharge of said duties.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 165.

AN ACT

Authorizing the School Directors of Morris district, Huntingdon county, to pay over School Taxes to the Directors of Franklin district, in said county, et cetera.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the school directors of Morris district be and they are hereby authorized and required to pay to the school directors of Franklin district, Huntingdon county, such sum as has been collected as school tax from citizens of Franklin, and applied toward the building the school house in Graysport school district, after making a fair and equitable allowance for the joint use of said house, for the time it has been occupied as a public school.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 166.

AN ACT

Giving a bounty on Fox Scalps in Butler county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, any person or persons who may kill any fox or foxes within the county of Butler, in this commonwealth, and who shall produce the scalp or scalps, having the ears thereon, before any justice of the peace in and for said county, it shall be the duty of said justice to examine such person or persons, on oath or affirmation, touching the time when, and the place where such fox or foxes was or were taken and killed; and if the same shall be found to be within the bounds of said county, it shall be the duty of such justice to give the person or persons a certificate of the facts to the commissioners of said county; and the said commissioners, upon the receipt thereof, shall immediately draw their warrant on the county treasurer, if for the scalp of a full grown fox the sum of fifty cents, and for those that are not full grown twenty-five cents, for each and every scalp so produced as aforesaid, and it shall be the duty of such treasurer, and he is hereby directed, to pay the amount of said order.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 167.

A N A C T

Relative to Roads in Crawford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the roads laid out or located by the road commissioners or supervisors of the several townships of Crawford county, under the authority of the act, entitled "An Act relative to roads and bridges in the counties of Crawford, Clearfield and Greene," approved the seventh day of May, one thousand eight hundred and forty-four, and the several supplements thereto, shall not be invalidated by reason of any omission of the court of quarter sessions to approve or direct the width thereof, nor by reason of any omission or informality of any township clerk or other officer, in the laying out of the road, or in certifying or returning the location made; but such roads and locations, the return or report thereof being filed in said court, shall be from thence deemed and taken as valid and legal to all intents and purposes, on the line or ground whereon said road or roads were and have been actually laid or located, and shall be adjudged, subject to be opened fifty feet wide, except where the said court, for cause shown, may order otherwise: *Provided*, That this section shall not be construed to re-establish any such road, the location of which has been superseded and altered by subsequent view or location, under said recited acts, or any other law of this commonwealth, and shall apply only to such roads as may have been actually surveyed and marked out by courses and distances, a record of which shall have been returned to the court of quarter sessions: *And provided further*, That this section shall not operate or be construed to re-establish or in any manner render valid a road laid out by the supervisors or road commissioners, under the said act of eighteen hundred and forty-four, through the land of Daniel C. Root, now in Cambridge township.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 168.

A N A C T

Supplementary to an act regulating Election Districts, passed the twenty second day of January, one thousand eight hundred and forty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the sixtieth section of an act, entitled "An Act regulating election districts," passed the twenty-second day of January, Anno Domini one thousand eight hundred and forty-four, be and the same is hereby repealed.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 169.

A N A C T

Supplementary to an act of Assembly, passed eighteenth April, one thousand eight hundred and fifty-three, entitled "An Act to incorporate the Kittanning Bridge Company; to protect Orchards and Gardens in certain counties, and authorizing the Swatara Railroad Company to construct a Branch Railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the penalty prescribed in the sixth section of the act to which this act is a supplement, shall be sued for and recovered before any justice of the peace of this commonwealth, in the same manner, and subject to the same right of appeal, as debts under one hundred dollars are now sued for and recovered; and the penalty for the offences mentioned in the said sixth section, hereafter shall be not less than two dollars and sixty-six cents, and not more than ten dollars, or imprisonment not less than five days, nor more than thirty days; and when the pecuniary penalty is sued for and recovered, one moiety thereof shall go to the person or persons who shall prosecute and sue for the same, and*

the other moiety to the overseers of the poor of the respective borough or township where the premises upon which the trespass was committed are situate, for the use of the poor of said borough or township; and the persons or person suing for the recovery of said penalty shall be and are hereby declared competent witnesses on the hearing and trial of the said action or prosecution; and all the provisions of the act of assembly to which this act is a supplement, which are inconsistent with this act, are hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 170.

AN ACT

To incorporate the Anthracite Bank of Tamaqua.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Richard Carter, R. A. Heaton, Benjamin T. Hughes, S. Marganroth, George Wiggan, John Carter, John Johnson, Benjamin Heilner, James Carter, William Donaldson, Rowland Jones, A. Pardee, William Milnes, Richard Sharp, John S. Boyer, Peter Bowman, Robert Ratchiffe, E. J. Fry and T. S. R. Ebur are hereby appointed and commissioned, and they, or any thirteen of them are authorized to carry into effect, from and after the passage of this act, the establishment of a bank to be called the Anthracite Bank of Tamaqua, to be located in the borough of Tamaqua, in the county of Schuylkill, with a capital of one hundred thousand dollars, to be divided into shares of fifty dollars each, with the privilege to increase said capital to two hundred thousand dollars; and to be organized, managed and governed as is provided by the act regulating banks, approved April sixteenth, Anno Domini one thousand eight hundred and fifty, and to be subject to all the restrictions and provisions, and to possess all the immunities contained in the several supplements thereto.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 171.

A FURTHER SUPPLEMENT

To the act, entitled "An Act to authorize the Governor to incorporate the West Chester and Philadelphia Railroad Company."

WHEREAS, The West Chester and Philadelphia railroad company will require, for the proper completion and equipment of their railroad, a greater sum than can be realized by the sale of bonds and stock, now authorized by law :

Preamble.

And whereas, The making a floating debt to meet such requirements would be onerous to the management of the road, and in all probability unduly hazard the interest of holders of its capital stock ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said company, for the purpose of completing and equipping their said railroad, be authorized and empowered to create a preferred stock to the extent of eight thousand shares, of fifty dollars each : *Provided,* That this act be accepted by a majority in value of the stockholders entitled to vote under existing laws, who shall attend, in person or by proxy, a meeting to be called by the president and managers of the said company, or by the president, immediately on the request of at least twenty stockholders of the company, at such place as they, the said president and managers, shall determine upon ; notice setting forth the objects of the meeting, by advertisement in a newspaper or newspapers, published in each of the counties of Chester, Delaware and Philadelphia, at least fifteen days before the time of such meeting.

Authorized to create a preferred stock

Proviso

SECTION 2. That immediately after the acceptance of this act, as aforesaid, the president and managers shall proceed to take subscriptions for said preferred stock, in such manner and form as they shall by resolution fix and determine, and shall give fifteen days' public notice, in the manner hereinbefore provided for advertisement of the time and place where such subscriptions may be made : *Provided,* That no subscription shall be valid unless the first instalment is actually paid at the time of such subscription : *And provided further,* That if the whole amount of stock so subscribed, within twenty days from the acceptance of this act, as before said, shall exceed eight thousand shares, then, and in that case, an abatement shall be made from the amount subscribed by each, proportionately ; those who may be stockholders at the time of such subscription being however first entitled, by way of priority, to such proportion of the whole number of shares of the preferred stock hereby authorized, as the number of full paid shares of the unpreferred stock held by them respectively, shall bear to the whole number of full paid shares of unpreferred stock : *And provided also,* That the board of managers may make such rule or decision as they may deem equitable, as to any fractional part of a share of stock which might, by reason of the premises, be coming to any subscriber as aforesaid.

Subscriptions to said stock.

Proviso.

Proviso

Proviso.

Stock, how paid
for.

Proviso.

Proviso.

Dividends on said
stock.

Proviso.

Votes at elections
regulated.

Bonds may be
issued in lieu of
preferred stock.

May mortgage
road to secure
said bonds.

SECTION 3. That the stock hereby authorized to be issued shall be paid for in five equal instalments, to wit: The first instalment shall be paid at the time of the subscription of the stock, the second instalment shall be paid within thirty days thereafter, the third instalment within sixty days thereafter, the fourth instalment within ninety days thereafter, the fifth instalment within one hundred and twenty days thereafter; and the said president and managers shall have the same right to receive any instalments that may become due, and on default made by any subscribers, may declare the same forfeited in the same manner, and with the same penalties as they may now recover and declare in respect to any unpreferred stock as to which default is made: *Provided*, That the subscribers or holders of such preferred stock hereby authorized may, as to any such preferred stock subscribed for within six months from the date of the acceptance of this act, pay one-half of the first and of all or any subsequent instalments due or to become thereon, in the unpreferred full paid stock of the company, at its par value, by the surrender and cancellation of the certificates of such unpreferred stock to such amount: *Provided*, That no unpreferred stock shall be taken in part payment of any such instalment or instalments, unless the residue of such instalment or instalments shall at the same time, and within the time limited for payment of the same, as hereinbefore provided for, be likewise paid in cash.

SECTION 4. That the holders of the said preferred stock shall be entitled to receive a dividend of eight per centum per annum, upon its par value, payable semi-annually, from the time of payment therefor, in preference of and before any interest or dividend shall be declared or paid in favor of and to any holder or holders of the unpreferred stock of said company: *Provided however*, That no such dividends upon said preferred stock shall at any time be declared or paid, except out of the net earnings of the road, nor until all interest due upon the debts of the company shall have first been paid or provided to be paid, out of the net earnings of the road, as aforesaid.

SECTION 5. That each and every share of the preferred stock by this act authorized to be created, shall entitle the holder thereof to one vote at all elections of said company, and upon all questions that may arise or be voted upon at any meeting of stockholders; and it shall be lawful for the said company, if the stockholders, at the meeting hereinbefore provided for, shall so determine, in lieu of the preferred stock hereinbefore authorized, and they are hereby authorized to issue bonds of the company, to an amount not exceeding four hundred thousand dollars, payable at such time, and bearing such rate of interest, not exceeding eight per cent. per annum, as may be determined and agreed on by the stockholders, at the meeting hereinbefore provided for; and to secure the payment of said bonds by a mortgage of their road and its appurtenances, and of all their estates, rights and franchises; and all the provisions of the second and third sections of this act shall be and are hereby made applicable to the sale of, subscription and payment for the bonds authorized by this section, as fully as though said bonds were in the said sections mentioned, instead of preferred stock; and so soon as two hundred thousand dollars of the said bonds shall have been subscribed for, and one hundred thousand dollars in cash shall have been actually paid by the subscribers for said

bonds, the holder or holders of any of said bonds, not in arrear for any instalments due upon his or their subscriptions, shall be entitled to one vote for every fifty dollars thereof, at all elections of officers and other stock votes of the company: *Provided however nevertheless,* That the president and managers shall have the right, at any time after one year from the date of the acceptance of this act, and whenever the profits of the road shall justify it, and the holders of one-fourth of the unpreferred stock shall require it, in writing, it shall be their duty to redeem all the preferred stock that may be issued by virtue of this act, by paying to the holder or holders thereof, upon his surrendering the certificates therefor to be cancelled, the full amount, at its par value, of the stock so held by him or them, together with a sum which, with all dividends and interest theretofore paid thereon, shall amount to eight per centum per annum, from the time of the original payment to the company therefor; and if not so redeemed, the preferred stockholders shall be entitled only to *pro rata* dividends, with the unpreferred stockholders: *Provided further,* That this section shall not go into effect until at least two thousand shares of said preferred stock shall be subscribed, nor until one hundred thousand dollars in cash shall have been paid on account of subscriptions to the preferred stock: *And provided further,* That no preferred stockholder shall be entitled to vote on any stock standing in his name, until the whole of the instalments shall have been paid: *Provided,* That the president and managers shall not be authorized to apply any of the mortgage bonds, or other securities or funds of the company, to the purchase of the capital stock of the company.

Proviso.

SECTION 6. That before making such redemption, the president and managers shall give one months' notice, in the manner hereinbefore provided for advertisement, of their intention to redeem the preferred stock, as aforesaid, and of the times and places appointed for so doing, and it shall thereupon be the duty of the holders of said preferred stock to present the same for payment or redemption, as aforesaid: *Provided,* That such stockholder or stockholders be entitled, if he or they so elect, to receive such payment, or any part thereof, in unpreferred stock, at its par value.

Notice to be given to holders of preferred stock.

Proviso.

SECTION 7. That so soon as all the preferred stock issued by virtue of this act shall have been paid or redeemed, or the holders thereof shall have neglected or refused to receive such payment on tender thereof, and the holders of unpreferred shall be reinstated in all their rights and privileges, as fully to all intents and purposes as though this act had never passed.

Rights of unpreferred stockholders.

SECTION 8. That the certificates for the preferred stock hereby authorized, shall be issued in such form as the president and board of managers shall determine, and transfers thereof made in the same manner and upon the same terms as is provided in the case of unpreferred stock: *Provided,* That all claims due to the contractors for work and labor done, and materials furnished for the construction of said road, shall be fully paid before this act shall go into effect.

Certificates of stock.

Proviso.

SECTION 9. That for the purpose of enabling the company to redeem its bonds and the preferred stock aforesaid, and for the payment of such other debts as it may then owe, it shall be lawful for the company, at any time hereafter, to issue and dispose of bonds to an amount not exceeding six hundred thousand

Company may issue bonds.

Proviso

dollars, and term of payment at such rate of interest, not exceeding eight per cent. per annum, as the stockholders at any annual meeting, or at a special meeting convened for the purpose, shall determine; and for the securing of such bonds, to execute a mortgage to trustees of the road of the company, its property, estate and franchises: *Provided*, That no bond of less denomination than one hundred dollars shall be issued by virtue of this act, nor shall said bonds be sold for less than par.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 172.

A FURTHER SUPPLEMENT

To the act relating to County Rates and Levies, and Township Rates and Levies; and to the act relating to Counties and Townships, and County and Township Officers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the eleventh section of an act, entitled "A supplement to an act relating to county rates and levies, and township rates and levies; and to the act relating to counties and townships, and county and township officers," passed on the twenty-eighth day of February, one thousand eight hundred and thirty-five; and the eightieth section of an act relating to counties and townships, and county and township officers, passed the fifteenth day of April, one thousand eight hundred thirty-four, be and the same are hereby repealed; and that hereafter every sheriff shall place and keep up in some conspicuous part of his office a printed copy of the seventy-ninth section, referred to in the eleventh section above named, for the purposes therein recited, on pain of forfeiting for each day the same shall not, by his neglect, be up as aforesaid, the sum of ten dollars: Provided, That no plaintiff or prosecutor shall be permitted to recover the penalty or penalties for more than any five days neglect preceding the time at which any such suit or action, which shall hereafter be brought: And provided, That nothing*

herein contained shall defeat any pending suits: *Provided*, No recovery thereon shall exceed five days' penalty, as aforesaid.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 173.

AN ACT

To authorize the corporation of the city of Philadelphia to make Temporary Loans.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* it shall be lawful for the councils of the city of Philadelphia to authorize, by ordinance, temporary loans of moneys, whenever they shall deem it necessary: *Provided*, That such loans shall at no time exceed, in the aggregate, the sum of five hundred thousand dollars, and no such loan shall be for a longer period than six months; all ordinances for the purposes aforesaid shall be passed at stated meetings of councils, and shall require for their adoption the votes of a majority of the whole number of the members of each council; and that the revenue of said city, as they shall be realized, shall be appropriated to the redemption of said loans respectively.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 174.

AN ACT

Relating to the Courts of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the several courts of the city and county of Philadelphia shall, by rule of court, designate one weekly newspaper in which shall be published a concise and intelligible abstract, under the direction of such courts, of all notices required to be published in cases pending in or under process issuing out of the said courts; and that all legal notices now by law required to be advertised in said city, shall be in like manner published in the newspaper so designated; a copy of each and every number of said paper shall be filed in the offices of the prothonotaries and clerks of said courts, the register of wills, the recorder of deeds, and the sheriff of said city and county: *Provided,* That nothing herein contained shall be so construed as to require the publication in said newspaper of municipal claims for assessment of taxes, or any advertising of the city of Philadelphia: *Provided,* That the charge for such publication shall not be greater than the usual rates charged by such newspaper.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 175.

A FURTHER SUPPLEMENT

To an act to incorporate the Huntingdon and Broad Top Mountain Railroad and Coal Company, approved May sixth, one thousand eight hundred and fifty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the capital stock of said company shall be, and shall not exceed, six hundred thousand dollars, unless increased by the conversion

of the bonds of said company into stock, as is hereinafter provided for: *And provided also*, That if said company shall hereafter determine to put its railroad under contract, to any point to which they are authorized to extend it, by the fifth section of the act approved twentieth April, Anno Domini one thousand eight hundred and fifty-three, entitled "An Act to incorporate the Shade Gap and Burnt Cabin turnpike or plank road company; relating to Huntingdon and Broad Top Mountain railroad and coal company, and for other purposes," they may then increase their capital stock and issue bonds, not exceeding in amount five hundred thousand dollars, bearing interest at not more than seven per cent. per annum, and secure them by mortgage of any or all of their property, so as to meet their wants for all purposes of their road at that time: *Provided*, That no bond shall be issued for a less amount than one hundred dollars.

Proviso.

May increase capital stock and mortgage road.

Proviso.

Former mortgage validated.

SECTION 2. That the mortgage executed by said company to Thomas E. Franklin, Jesse Godley and Hezekiah Easton, esquires, in trust for bondholders, and the bonds secured thereby issued by the said company to the amount of five hundred thousand dollars, are hereby declared to have been lawfully executed and issued under the act of incorporation of said company, and the several supplements thereto, and the holders of said bonds shall be entitled to all the securities mentioned in said bonds and mortgage, in like manner as if the sums for which said bonds have been issued, and all other things mentioned therein, had been expressly and in detail authorized by law to have been so mentioned and made part thereof; and any holder of said bonds shall, at any time before the thirtieth day of September, one thousand eight hundred and sixty-four, have the power and right to convert the amount of said bonds, held by him or her, into capital stock of said company, by surrendering such bond or bonds to the company, and receiving certificates of stock therefor; and every amount so converted shall be added to, and increase to that extent, the amount of the capital stock hereinbefore authorized; and the money received, or to be received, from the sale of said bonds, shall be applicable to all purposes of said company, in such manner as may be determined by the directors thereof.

SECTION 3. That said company is hereby authorized to sell and convey to the purchaser or purchasers, in fee simple, any of the lands, leases or mining privileges which it now holds, or may hereafter acquire, either by purchase, lease, or in payments of subscription of stock; and after selling any of their lands, said company shall have power again to hold lands by purchase or lease, to the extent authorized by the act to which this is a supplement, and the several supplements thereto; and shall also in addition thereto continue to receive lands in payment of subscriptions of stock, as authorized by the third section of the supplement approved sixth May, Anno Domini one thousand eight hundred and fifty-two: *Provided*, That said company shall not hereafter, at any one time, receive and hold lands in payment of subscription of stock, to an amount exceeding one hundred and fifty thousand dollars: *And provided further*, That this section shall not be held to authorize the sale of any of the lands included in said mortgage, in such manner as to divest the rights of the mortgagors or bondholders.

May sell lands, &c.

Proviso.

Proviso.

SECTION 4. That any incorporated bank, railroad, coal or canal company shall have power to subscribe to the capital stock, or

What corporations may subscribe for stock.

LAWS OF PENNSYLVANIA,

to purchase the bonds of the Huntingdon and Broad Top Mountain railroad and coal company, and shall be represented at the meetings and elections of said company, by such person or persons as may be designated by the governing power of such subscribing corporation; and the third and fourth sections of the original act, to which this is a supplement, be and the same are hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 176.

A N A C T

To prevent certain Hawking and Peddling in Juniata county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, it shall be unlawful for any person or persons to hawk and peddle watches, silver ware and jewelry in the county of Juniata, under the penalty of fifty dollars for each and every offence, one-half to be paid to the prosecutor, and the other half to the treasurer of said county for the use of the commonwealth; which penalty shall be recovered before any justice of the peace of the county, as debts of similar amount are by law recoverable.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 177.

A SUPPLEMENT

To the act incorporating the Columbia and Chesnut Hill Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That as soon as the Columbia and Chesnut Hill turnpike road company shall complete their road to Cordelia furnace, it shall and may be lawful for the directors thereof to erect a gate or gates thereon, and collect tolls; and that the last proviso of the fourth section of the act passed February the twenty-sixth, one thousand eight hundred and fifty-three, entitled "An Act to incorporate the Columbia and Chesnut Hill turnpike road company," be and the same is hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 178.

AN ACT

Authorizing the Commissioners of Jefferson county to borrow a sum of money not exceeding five thousand dollars, to pay on contract for building Jail.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the commissioners of Jefferson county are hereby authorized to borrow, on the credit of said county, a sum not exceeding five thousand dollars, for the purpose of completing the new prison now in course of erection in Brookville, for the use of said county: *Provided,* That no greater interest shall be allowed on said loan than six per cent.

Commissioners
may borrow
money.

Proviso.

SECTION 2. That the moneys so borrowed shall be placed in the hands of the treasurer of Jefferson county, and be drawn

Money to be paid
to county treasurer.

LAWS OF PENNSYLVANIA,

out by orders of the commissioners in favor of the contractors for building the said prison, and for no other purpose.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 179.

AN ACT

To provide for the construction of a Dam and In-let Lock at the mouth of Mill creek, in the county of Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That whenever the canal commissioners shall be satisfied that the owners of land upon Mill creek, in the county of Luzerne, are prepared to mine and ship upon the North Branch division of the Pennsylvania canal, the quantity of one hundred thousand tons of coal annually, they are hereby authorized and directed to construct a dam and in-let lock at the mouth of said Mill creek, at an expense not exceeding twenty thousand dollars: Provided, That the consent of the owner or owners of lands upon which said dam and in-let lock are erected, be first had and obtained without the payment of any damages by the commonwealth.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 180.

AN ACT

For the Sale and Purchase of the Falls of Schuylkill Bridge, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* it shall and may be lawful for the Falls of Schuylkill bridge company to make a conveyance of all their right, title and interest, in the bridge over the Schuylkill river, at the Falls of schuylkill, with the contiguous land now held by them, to the city of Philadelphia: *Provided*, That the price to be paid for said bridge shall be ascertained and determined by a jury of view, consisting of six citizens of the city of Philadelphia, to be appointed by the court of quarter sessions of the county of Philadelphia, who shall not be stockholders in the bridge: *And provided*, That the said court and the city councils of Philadelphia shall approve of the report of said jury, and said price shall be payable in cash or six per cent. bonds, payable with interest, at the option of said councils, with interest half yearly.

May sell bridge
to city.

Proviso

SECTION 2. That immediately after the making of said conveyance, the councils of the city of Philadelphia shall take charge of said bridge and its appurtenances, and shall pay out of the funds of the said city all the expenses of lighting, watching, repairing and superintending, and from time to time remodeling and renewing the same when necessary.

Expenses of keep-
ing up

SECTION 3. That from and after the said conveyance, the said bridge shall be free for the passage of all foot passengers and vehicles of every description, without the exaction of any toll whatever therefor, and of which public notice shall be given by advertisement for one week in two newspapers published in the city of Philadelphia.

Shall be free.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 181.

AN ACT

To incorporate the Hartsville and Centreville Turnpike Road Company.

Commissioners.

Style.

Route.

Subject to —

Capital stock.

Toll-gates.

Commencement
and completion.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Watson Kirk, Thomas Spencer, Reuben P. Ely, Jonathan Opdycke, Samuel Buckman, Edward Hughes, Cress Fell, William Glasgow, Andrew Craven, Mahlon Long, William Addis, Joseph Yates, Samuel Scott, M. D., William Burrows, Nathaniel J. Rubincan, Joseph Hough, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions to stock, and organize a company, by the name, style and title of the Hartsville and Centreville turnpike road company, with power to locate and construct a turnpike road over and upon the bed of the old York road, in Bucks county, commencing in Centreville, Buckingham township, and extending to where the Street road intersects the said road, in Warminster township, with the privilege of opening the road lately vacated on Kerr's hill, and also the privilege of departing from the bed of the said York road, for the purpose of securing a better location, or making the distance shorter and the road straighter, and to have the power to open said road forty-five feet in width, subject to all the other provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto, so far as the same be not inconsistent with this and the subsequent sections of this act.

SECTION 2. That the capital stock of said company shall consist of eight hundred shares of twenty-five dollars per share; but the said company may from time to time, by a vote of the stockholders, increase the capital stock, if it shall be deemed necessary to carry out the true intent and meaning of this act.

SECTION 3. That when the said company shall have completed two or more miles of said road, they shall have power to erect toll gates and receive tolls, subject to the provisions of the general laws regulating turnpikes, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, entitled "An Act regulating turnpike and plank road companies."

SECTION 4. That the same company may commence the construction of their road at any intermediate point: *Provided*, That such commencement shall be within three years after the passage of this act; and should the said company fail to complete their road within five years after the same shall have been commenced, then this act shall be null and void, except so far as shall become necessary to settle the affairs of the company.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HESTER,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five. JAS. POLLOCK.

No. 182.

AN ACT

To punish Trespass in certain cases in certain counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the first and second sections of the act to protect fruit and punish trespass in certain counties in this commonwealth, and for other purposes, approved the thirteenth day of April, Anno Domini one thousand eight hundred and fifty-three, be and are hereby extended to the counties of Lawrence, Fayette, Washington, Clarion, Blair and Mifflin.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 183.

AN ACT

To incorporate the Bridesburg Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Barton H. Jenks, Joseph S. Lovering, Charles Lennig, Frederick Lennig, Herbert Reynolds, Francis Putt, Joseph Ripka, Isaac Barton, William S. Blight, J. Dickinson Sergeant, Jesse H. Flitcraft, Oliver Brownell, Andrew Ramsey, Richard Kirkbridge, Charles Harlan, James Wilson, Andrew Hauge and Franklin M'Conaughy, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of "The Bridesburg plank road company," with power to construct a plank road, commencing at the terminus of the pavement on Richmond street, commonly called Point road and Tioga street, and following said Richmond street or road, and terminating at or near

Commissioners.

Style

Route.

the intersection of Richmond street and Bridge street, in the late borough of Bridesburg, with power to extend a branch of their road along Bridge street, to the bridge crossing Tacony creek, if deemed expedient by a majority of the stockholders ; subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, excepting as hereinafter provided.

Subject to certain act

SECTION 2. That the stock of said company shall consist of three hundred shares, at twenty-five dollars per share: *Provided*, That said company may, from time to time, by a vote of the stockholders called for that purpose, increase their capital stock so much as, in their opinion, may be deemed necessary to complete the road, and carry out the true intent and meaning of this act.

Capital stock.
Proviso.

SECTION 3. That if said company shall not commence the construction of said road within one year from the passage of this act, and complete the same within two years, this act shall be null and void, except so far as the same may be necessary to wind up the affairs and pay the debts of the company.

Commencement and completion.

SECTION 4. That said company shall have power to vacate any parts of public roads heretofore in use, but supplied and made useless by the construction of said plank road.

Vacation of roads

SECTION 5. That whenever said company shall have finished one mile or more of said road, they shall have power to erect gates and collect tolls, agreeably to the conditions and restrictions of sections twelve and thirteen of the act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, except so far as relates to tolls, which discriminate in favor of wheels of a greater width than four inches; and the company hereby incorporated shall have power to regulate their tolls, within the limits prescribed by said act and the several supplements thereto, without reference to width of wheels in any case: *Provided also*, That the width of said road shall not be less than fifty feet, from its commencement to the terminus, at or near Bridge street.

Toll-gates.

Proviso.

SECTION 6. That if at any time hereafter the city of Philadelphia shall think proper to purchase the said road, for the purpose of making it a free road, the said company shall be obliged to sell the said road, for such sum as the majority of twelve disinterested men, appointed by the court of common pleas in the city of Philadelphia, may adjudge the same to be worth.

City of Philadelphia may purchase road.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 184.

A N A C T

Supplementary to an act, entitled "An Act changing the time of holding the Courts in the county of Susquehanna."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act changing the time of holding the courts in the county of Susquehanna," approved February ninth, eighteen hundred and fifty-five, shall not apply to the April term of said court, for the year one thousand eight hundred and fifty-five; and the force and effect of said act is hereby postponed until the April term of said court, in the year one thousand eight hundred and fifty-six, as fully as if the said act had not been passed; and that all such writs and process as have been made returnable under the provisions of said act, shall be good and valid: *Provided,* That no judgments shall be taken by default thereon, until after the third Monday in April.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 185.

A N A C T

Relating to the Directors of the Poor of Delaware county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the directors of the poor of the county of Delaware shall be allowed, for their services, each twenty dollars per annum, and one dollar and a half each for every additional day above twelve days by them necessarily employed in the performance of their official duties.

SECTION 2. That the proviso to the third section of the act of assembly of May eighth, one thousand eight hundred and fifty-

four, entitled "An Act to authorize the directors of the poor and commissioners of Delaware county to sell and purchase certain real estate," and so much of said act as requires the consent and approbation of the commissioners of said county, to any purchase or sale of real estate by the said directors, under the provisions of said act, be and the same are hereby repealed.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 186.

AN ACT

To confirm and legalize the Election of Trustees of the Second Presbyterian Congregation of the city of Lancaster.

WHEREAS, The members of the Second Presbyterian congregation of the city of Lancaster failed to elect six trustees of said congregation on the third Friday of October, one thousand eight hundred and fifty-three, as required by section fourth of the charter of said congregation:

Preamble

And whereas, The trustees named in said charter, approved and confirmed by the court of common pleas of Lancaster county, April twenty-sixth, one thousand eight hundred and fifty-two, namely, Doctor John Miller, Garret Everts, Walter G. Evans, Miller Fraim, David W. Patterson and Hiram B. Swarr, continued to exercise the duties of trustees until Monday, October twenty-third, one thousand eight hundred and fifty-four, being after the third Friday of the month on which the annual election for trustees of said congregation is to be held under the provisions of the charter:

And whereas, The members of said congregation did, on Monday, October twenty-third, one thousand eight hundred and fifty-four, elect Hiram B. Swarr and W. V. Davis to serve as trustees of said congregation for three years, H. G. Gara and D. W. Patterson for two years, and Elisha Geiger and J. W. Jackson for one year:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all acts and things whatsoever performed by said trustees, who continued in office from April twenty-sixth, one thousand eight hundred and fifty-two, until October twenty-third, one thousand eight hundred and fifty-four, in behalf of said Second Presby-

Note of trustees
validated.

terian congregation, under and by virtue of the charter of the congregation aforesaid, is hereby fully confirmed and legalized.

SECTION 2. That the several persons elected trustees of said congregation on Monday, October twenty-third, one thousand eight hundred and fifty-four, be and are hereby declared to be the trustees of said congregation for the several terms for which they were so elected; and all business and proceedings done by them within the power and authority of said charter, are hereby ratified and confirmed, and shall, with all their future acts under the authority of said charter, be held and deemed to be valid and effectual, to all intents and purposes, as fully as though said trustees had been elected on the third Friday of October, one thousand eight hundred and fifty-four, the time designated in charter for holding the annual election of said Second Presbyterian congregation of the city of Lancaster.

Election and acts
of trustees
elected in 1854
validated.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 187.

AN ACT

Supplementary to an act, approved March fourth, one thousand eight hundred and fifty, exempting the Olome Institute Female Seminary, in the borough of Canonsburg, from taxation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter the additional building erected near the main building of the Olome Institute female seminary, in the borough of Canonsburg, in the county of Washington, now occupied for educational purposes, be and the same is hereby exempted from all taxation, except for State purposes, so long as the same shall be occupied for said purpose.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 188.

AN ACT

Relative to Hawkers and Pedlers in the county of Venango.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the third and fourth sections of an act relative to hawkers and pedlers in Armstrong and Carbon counties, and for other purposes, approved the fourteenth day of April, Anno Domini one thousand eight hundred and fifty-one, be and the same hereby are extended to the county of Venango.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 189.

AN ACT

To authorize the North Pennsylvania Coal Company to pay interest to stockholders.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the president and directors of the North Pennsylvania coal company be and they are hereby authorized, on the first Monday of June next, and semi-annually thereafter, to pay interest at the rate of three per centum per annum, on the par value of such stock of said company as at any one of said days of payment shall have been paid for, either in full or to the extent of such instalments as shall have been called for: Provided, That this act shall remain in force until said company shall be able to declare dividends from the profits of the business of the corporation: And provided, That no stockholder who has neglected, or hereafter shall neglect to pay up any instalment that has been*

or may be called for, shall be entitled to receive interest as aforesaid.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 190.

A N A C T

Relative to a Bridge at the West end of Brookville, Jefferson county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the release of their interests by the stockholders to the county, the new bridge erected across Red Bank creek, on White street, in the borough of Brookville, Jefferson county, shall be a county bridge; and the commissioners of said county are hereby required to keep it in repair as such, and to pay the expenses of such repairs out of the county treasury, in accordance with the provisions of the act of thirteenth April, one thousand eight hundred and forty-three, entitled "An Act supplementary to an act, entitled 'An Act relating to roads, highways and bridges.'"*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 191.

AN ACT

Regulating the appointment of Steward of the Poor House, in Montgomery county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, it shall not be lawful for any person who is or has been a director of the poor and house of employment, in and for the said county of Montgomery, to hold the office or appointment of steward of the said poor house for a period of three years next after the end of the last term of his service as director aforesaid: *Provided, That* the directors of the poor aforesaid shall, on the first day of the November term of the court of quarter sessions for said county after the passage of this act, and on the first day of the November term every three years thereafter, report to the judges of said court the name of the person holding the appointment of steward aforesaid for the approval of said judges; and in case the said judges do not approve the same, the said directors shall, at their meeting in the succeeding January, appoint another in his stead.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 192.

A SUPPLEMENT

To an act, entitled "An Act to incorporate the Manheim, Petersburg and Lancaster Turnpike or Plank Road Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Manheim, Petersburg and Lancaster turnpike or plank road company may stop with the said road at its present terminus,

or at any point between said terminus, in the borough of Manheim, and the starting point designated in its charter, in said borough.

SECTION 2. That said company may charge toll on their road on a horse and rider at the rate of one cent per mile for each mile traveled thereon, and may collect the usual rates of toll from all persons traveling on the same, excepting such as go directly from their residences to their regular places of meeting on the Sabbath, and so return again, and all clergymen when traveling on professional duties.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 193.

AN ACT

To ascertain and fix the Dividing Line between the counties of Berks and Schuylkill, and to legalize in part the Report of Commissioners appointed to ascertain and fix the Dividing Line between the counties of Berks and Schuylkill, under the provisions of an act of assembly, approved on the fifteenth day of April, Anno Domini one thousand eight hundred and fifty, and the supplement thereto, approved April twenty-fifth, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Peter F. Ludwig, of Schuylkill county, Tobias Clouser, of Berks county, and John Philips, Jr., of Dauphin county, or any two of them, be and they are hereby appointed commissioners, with authority to survey, ascertain, determine upon and mark the dividing line between the counties of Berks and Schuylkill, from a point at or near the intersection of the line dividing the townships of Upper Bern and Tulpehocken, in Berks county, westwardly to intersect the line of Lebanon county, at a point where the township of Bethel, in Berks county, and the township of Pinegrove, in Schuylkill county, intersects the line of Lebanon county.

SECTION 2. That it shall be the duty of said commissioners, after having been first sworn and affirmed before some justice of the peace in either of said counties, to perform the duties enjoined upon them by this act with impartiality and fidelity, to go upon the ground and carefully survey, ascertain, mark and determine upon the dividing line between the counties of Berks and Schuylkill, from and between the points named in the first section of this act.

To mark lines.

SECTION 3. That it shall be the duty of said commissioners to finally locate the said dividing line, so far as the same shall be by them surveyed and ascertained, and to mark the same upon the ground by distinct and permanent marks; and the line so ascertained and marked shall be and remain the dividing line between the counties of Berks and Schuylkill.

Make drafts.

SECTION 4. That it shall be the duty of said commissioners, or a majority of them, to make out drafts of said surveys, certified under their hands, with the courses and distances plainly laid down, together with reports of their proceedings, and to file a copy of such draft and report in the office of the clerk of the court of quarter sessions in each of the counties of Berks and Schuylkill, within the period of one year from the date of the passage of this act.

Compensation.

SECTION 5. That said commissioners shall receive, as a compensation for their services, three dollars per day each, whilst actually engaged in the performance of their duties, each bearing his personal expenses out of the same; and shall have authority to employ the necessary assistants, and to incur any other expenses that may be necessary to carry out the intentions of this act, all of which shall be divided equally between and paid by the county of Berks and Schuylkill, by orders drawn by the county commissioners of said counties upon the treasurer thereof, in the usual form; and if any vacancy or vacancies shall occur from any cause whatever in said board of commissioners, the governor is hereby authorized to fill the same, and in the filling of such vacancies he shall be governed by the spirit and meaning of the provisions of the first section of this act, on such vacancy or vacancies being made known to him by the remaining commissioner or commissioners, or some person or persons who may be interested in carrying out the provisions of this law.

Report.

SECTION 6. That so much of the report made by the commissioners named in the act referred to in the title to this act, fixing the boundary line on the western side of the river Schuylkill, be and the same is hereby annulled; and that the old line dividing said counties, being the middle of said river, from a point where the said division line crosses the said river, to the middle of the same opposite the mouth of Stony creek, be and the same is hereby re-established.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HESTER,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 194.

A SUPPLEMENT

To an act to re-incorporate the New Brighton Water Company and enlarge its powers, approved the eighth day of April, Anno Domini one thousand eight hundred and forty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same;* That in addition to the duties enjoined upon the members of said corporation, by the eighth section of the said act of re-incorporation, they (the members) shall also, at their own expense, keep the race bank in order, repair all breaches that may occur, or damage that may be done to the race bank on their individual property; and in case of the neglect or refusal of any member to make the necessary improvement or repair within a reasonable time, to be determined by the directors of the company, the directors shall proceed to do the work required, and the expenses, with five per centum penalty added thereto, may be filed against the property, the same as a mechanic's lien.

Repair of race
bank.

SECTION 2. That this supplemental act, when assented to by a representative vote of two-thirds of the shares of stock at a regular meeting of shareholders, to be called for that purpose, shall be deemed as accepted and binding upon said company.

Acceptance of
act.

SECTION 3. That anything contained in the act of re-incorporation of the New Brighton water company, approved the eighth day of April, Anno Domini one thousand eight hundred and forty-eight, inconsistent with this supplement, is hereby repealed.

Repeal.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 195.

A N A C T

To extend the charter of the Farmers' Bank of Reading.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the charter of the Farmers' Bank of Reading shall be and the same is hereby continued and extended for the term of twenty years, from and after the expiration thereof, with its present capital of five hundred thousand dollars: Provide^d, That said capital may be divided into shares of thirty dollars each, instead of the shares of fifty dollars each, as provided in the existing charter.*

Charter extended

Provide^d.Reduction of par
value of stock.

SECTION 2. That if the stockholders of said bank shall decide, at a meeting called for the purpose, of which two weeks' notice shall be given in at least two newspapers published in the city of Reading, to increase the number of shares by reducing the par value thereof, as authorized in the previous section, the new shares shall be divided, as near as practicable, among the present stockholders who shall desire to subscribe for the same, in proportion to the number of shares held by them respectively, on the first day of April, one thousand eight hundred and fifty-five; and in case any stockholder shall decline to subscribe for such proportion as he may be entitled to, after thirty days' written notice, the same shall be disposed of in such manner as shall be directed at a meeting of the stockholders to be held for that purpose, of which a like notice, as is herein previously provided, shall be given: *Provide^d, That said additional stock shall be paid for at such times and in such manner as the board of directors shall determine.*

Provide^d.subject to certain
acts.

SECTION 3. That said bank shall be subject to all the conditions and restrictions, and shall enjoy all the privileges and powers contained in an act, entitled "An Act regulating banks," approved the sixteenth day of April, one thousand eight hundred and fifty, and the several supplements thereto, except so far as they are inconsistent with the provisions of this act.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 196.

A SUPPLEMENT

To an act to incorporate the Lumberville Delaware Bridge Company, passed April seventh, Anno Domini one thousand eight hundred and thirty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and managers of the Lumberville Delaware bridge company shall be and they are hereby authorized to borrow, for the purposes of the company, any sum not exceeding four thousand dollars; and for the purpose of securing the payment of the same to the lender or lenders, may issue certificates of loan in sums not less than one hundred dollars each, to be signed by the said president and treasurer and sealed with the seal of the corporation, to be payable at such time and upon such terms as may be agreed upon between the parties; and in order to secure to the lenders, their executors, administrators or assigns, the amount of said certificates, as they shall become due and payable, by the said president, managers and company are hereby authorized and empowered to make and execute to a trustee or trustees, to be appointed by the president, managers and company, a mortgage, in the manner hereinafter provided for, of the whole of the said bridge with its appurtenances, as the same shall be at the time of the mortgage executed, or at any time thereafter, and of all the stock, rights and privileges of the said president, managers and company, and of all and each of the stockholders thereof; and in case it shall happen that any certificate of loan aforesaid shall remain unpaid for thirty days after the time appointed for the payment of the same, that it shall be lawful for any holder of such certificate to sue out a *scire facias* on the mortgage aforesaid, and proceed to obtain judgment thereon, and the judgment so obtained shall stand as a security for all such certificates as shall then remain unpaid; and the holder of any certificate may proceed to issue a *levari facias* and sell the said bridge, and all the rights, stock and privileges of the said president, managers and company therein, and all the stock, rights and privileges of the stockholders of the said company; and a sale under such *levari facias* shall vest absolutely in the purchaser the whole rights, privileges and of the stockholders therein, as effectually as real estate is vested in a purchaser when sold on a mortgage; and the said sale shall wholly divest the said president, managers and company, and each and every stockholder, of all corporate powers, rights, title, interest, estates, privileges or stock in said company, and all corporate powers, right, title, interest, estate, privilege, stock, as well of the said president, managers and company as that of each and every stockholder, shall be vested in the purchaser or purchasers thereof, and from thenceforth all the provisions of the act of incorporation of the said company with corporation powers conferred, and of the several laws of this commonwealth in relation to bridge companies, shall be for the benefit and govern-

May borrow money.

How loan may be secured.

Proceedings to recover loans.

ment of the said purchaser and purchasers, in like manner as if they were the original corporators; and if at any time the interest agreed to be paid shall remain unpaid for thirty days after the time appointed for the payment thereof, the court of common pleas of Bucks county shall, on the application of a holder of a certificate to whom interest is due, order that all the tolls received upon the said bridge be paid to a receiver, appointed by the said court, until sufficient toll is collected to pay such interest, and shall enforce such order against all and every receiver of tolls, if necessary, by attachment, shall direct the interest aforesaid to be paid out by such receiver to those entitled to receive it; and all the proceedings to effect these purposes shall be in such form as the court aforesaid may direct: *Provided*, That before proceedings to obtain the loan aforesaid, the said president, managers and company shall, by resolution of the board, determine precisely the amount of the loan to be made, which shall not be exceeded; and thereupon they shall execute to the trustees aforesaid the mortgage aforesaid, conditioned as aforesaid, which shall be for the use of all and every the holders of the certificates of loan in manner as aforesaid, and then the said president, managers and company may, from time to time, as they may deem best, borrow any portion of the said amount, for which they shall issue certificates of loan as aforesaid.

Provided

Tolls.

SECTION 2. That the said Lumberville Delaware bridge company is hereby authorized to demand and receive for every foot passenger the sum of two cents.

When this act to take effect.

SECTION 3. That this act shall not take effect or go into operation until the legislature of the state of New Jersey shall pass a law, vesting like power and authority on the president and managers of the Lumberville Delaware bridge company to borrow money on mortgage as are hereby given.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK

No. 197.

AN ACT

To authorize the Governor to incorporate a Company to erect a Bridge across the Lehigh river, near Hockendauqua, in Lehigh county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Samuel Laubach, Jacob Beil and John Howell, of Northampton county, and Edward Schreiber, Owen Schreiber, Jacob Mickly, Reuben Dewald and Samuel Thomas, of Lehigh county, be and they are hereby appointed commissioners to do and perform the duties hereinafter mentioned, to wit: They shall, as soon as convenient after the passage of this act, procure one or more books and enter therein as follows: We whose names are hereunto subscribed, promise to pay to the president, managers and company of the Hockendauqua bridge company the sum of twenty-five dollars, for every share of stock in said company set opposite our respective names, in such instalments, and at such times, as shall be required by the president and managers, in pursuance of an act of assembly, entitled "An Act to authorize the governor to incorporate a company to erect a bridge across the Lehigh river, at a point at or near Laubach's mill on the east side, and at or near Schreiber's distillery on the west side, on the lands of Peter Labach, in Northampton county, and on the lands of Edward Schreiber, in Lehigh county," and shall thereupon proceed to receive subscriptions for the stock of said company, at such times and places as they shall think proper.

SECTION 2. That when ten or more persons shall have subscribed two hundred and fifty shares of the said stock, the said commissioners shall certify to the governor the names of the subscribers, and the number of shares by them subscribed; and thereupon it shall be lawful for the governor, by letters patent under his hand and the seal of the commonwealth, to create and erect the said subscribers, their associates, successors and assigns into one body politic and corporate, in deed and in law, by the name, style and title of the Hockendauqua bridge company; and by the same name the said subscribers shall have perpetual succession, and all the privileges and franchises incident to a corporation; and shall be capable of taking and holding the said capital stock, and the increase and profits thereof, and enlarging the same from time to time, by new subscriptions, in such manner and form as they shall think proper, if such enlargement shall be found necessary to fulfil the object and intent of this act, and of taking, purchasing and holding, to them and their successors in fee simple or for any less estate, all such lands, tenements, hereditaments and estates, real and personal, as shall be necessary in the prosecution of their work, and the same at pleasure to grant, bargain and sell; of suing and being sued, and of doing all and every other matter or thing which a corporation or body politic may lawfully do.

SECTION 3. That the persons named in the letters patent to be issued as aforesaid shall, as soon as convenient after issuing the same, give notice in a newspaper published in each of the counties of Lehigh and Northampton, of a time and place to be by them appointed, not less than twenty days from the time of publishing the first notice, at which time and place the said subscribers shall organize the said corporation, and shall choose by a majority of the votes of the said subscribers by ballot, either in person or by proxy duly authorized, one president, six managers, one treasurer, and such other officers as they may deem necessary to conduct the business of said company for one year, and until other officers shall be duly chosen; which said officers and their successors shall have authority to make such by-laws, rules and regulations as shall be necessary for the well ordering of the affairs of the company: *Provided*, That each stockholder

Commissioners

Style

Letters patent

Privilege

Organization

Proviso

Proviso.

shall be entitled to one vote for every share of stock held by such voter, not exceeding ten shares, and one vote for every two shares of stock above ten shares: *And provided*, That no share shall confer a right of voting which shall have been transferred within one month prior to the day of election, nor unless it be bona fide held or owned by the person in whose name it appears, in his own right, or that of his wife, or for his or her sole use and benefit, or as executor or administrator, trustee or guardian, or in the right or for the use and benefit of a copartnership, society or corporation of which he or she may be a member; and all votes by proxy shall be on the terms and conditions prescribed by the act passed the twenty-eighth of March, Anno Domini one thousand eight hundred and twenty, an act to regulate proxies.

Election of officers.

SECTION 4. That an election shall be held annually, on the first Monday of January, at such place as shall be directed by the president and managers, for the election of the officers hereinbefore provided to be elected.

Seal.

SECTION 5. That the corporation created by virtue of this act shall have full power and authority to make, have and use one common seal, with such device and inscription as they shall deem proper, and the same to break, alter and renew at pleasure.

Certificates of stock.

SECTION 6. That certificates of stock shall be issued to the subscribers, signed by the president and countersigned by the treasurer, and sealed with the seal of the corporation, which certificates shall be transferable at the pleasure of the owner, in person or by attorney, in the presence of the president or treasurer.

Meetings.

Quorum.

SECTION 7. That the president and managers shall meet at such times and places as they shall agree upon, any five of whom shall constitute a quorum for the transaction of business: in the absence of the president a president *pro tempore* shall be chosen; minutes of all the transactions of the said president and managers shall be entered in a book to be kept for that purpose.

Appointment of engineers, &c.

SECTION 8. That the said president and managers, or a quorum thereof, shall have full power and authority to agree with and appoint such engineers, superintendents, artists and other officers as they shall deem necessary to conduct the business of the company; to agree upon the salaries and wages of the persons employed; to direct the times and proportions in which the stock subscribed shall be paid; to draw orders on the treasurer for all moneys payable by the company, which orders shall be signed by the president and countersigned by the secretary of the board, and to do and perform all other matters and things needful and necessary for carrying fully into effect the true intent and meaning of this act.

Payment of stock.

SECTION 9. That if after thirty days' notice, in any newspaper in the counties of Lehigh and Northampton, of the time and place for the payment of any proportion or instalment of the said stock, any stockholder shall neglect to pay such proportion or instalment at the place appointed, for the space of thirty days after the time so appointed, every such stockholder, or his assignees, shall, in addition to such instalment, pay at the rate of two per centum per month for delay of such payment; and the said president and managers may declare any stock forfeited to the use of the company, upon which any instalment shall remain unpaid for the space of six months after the time appointed

for the payment thereof, and such forfeited stock may be sold and transferred by the said president and managers, for the benefit of the company, to any person or persons who will purchase the same; or in default of payment by any stockholder of any instalment as aforesaid, the president and managers may at their election cause suit to be brought before any justice of the peace or in any court having competent jurisdiction, for the recovery of the same together with the penalty aforesaid: *Provided*, That no stockholder, whether an original subscriber or assignee, shall be entitled to vote at any election or general or special meeting of the said company, on whose share or shares any instalment or arrearages may be due and payable more than thirty days previously to the election or meeting.

Proviso.

SECTION 10. That the president and managers of the said company shall demand and require of and from the treasurer, and may demand and require of and from all and every other the officers and other persons by them employed, bonds in sufficient penalties, and with one or more sureties, for the faithful discharge of the several duties and trusts to them respectively committed.

Official bonds.

SECTION 11. That fair and just accounts shall be kept of all moneys received by the said commissioners from the subscribers of stock to said company, and by the president, managers and treasurer, after the organization of said company, of all moneys received on account of any share or shares, and of all penalties for delay in payment of stock, and of the amount of profits on shares that may be forfeited as aforesaid, and also of all moneys by them expended in the prosecution of said work, and shall at least once in every year submit the said accounts to a general meeting of the stockholders.

Accounts of money received for stock and expended

SECTION 12. That when the said bridge shall have been completed, the property thereof shall be vested in the said company, their successors and assigns forever; and the said company, their successors and assigns, may demand and receive tolls from travelers and others, not exceeding the following rates, to wit: For every carriage used for the purpose of trade or agriculture, having four wheels and drawn by four horses, fifty cents; every carriage for purpose of trade drawn by three horses, forty cents; for every such carriage drawn by two horses, thirty cents; for every carriage used for the purpose of personal accommodation or pleasure, having four wheels and drawn by four horses, fifty cents; for every such carriage drawn by two horses, thirty cents; for every dearborn wagon and buggy, and for every chair, or other two-wheeled carriage of pleasure drawn by one horse, twenty cents; for every sleigh or sled drawn by four horses, fifty cents; for every such sleigh or sled drawn by two horses, thirty cents; for every such sleigh or sled drawn by one horse, twenty cents; every horse with a rider, twelve cents; every carriage drawn by oxen, or partly by horses and partly by oxen, to be rated in the proportion of two oxen for one horse, and in all cases a mule shall be rated the same as a horse; for every horse without a rider, six cents; for every score of sheep or swine, twenty cents; for every head of horned or muly cattle, six cents; and for every foot passenger, six cents: *Provided*, That every person going to or returning from a funeral, divine worship, elections, military trainings, and students or children attending any school or seminary of learning, shall at all times be exempt from the payment of tolls.

Tolls.

Proviso.

Penalty for
taking illegal
tolls

SECTION 13. That if the said company shall demand or receive any greater rates or prices for passing over the said bridge than is hereinbefore prescribed and specified, or shall neglect to keep the said bridge in good repair, they shall forfeit and pay, for every such excessive charge or neglect, the sum of ten dollars, to be recovered in an action, *qui tam*, before any justice of the peace, or court of competent jurisdiction, one-half for the person who may sue for the same, and the other half for the use of the counties of Lehigh and Northampton: *Provided*, That no such suit or action shall be brought after the lapse of thirty days after the cause of action hath accrued.

Penalty for
evading payment
of toll

SECTION 14. That if any person or persons passing over the said bridge, shall falsely represent that he, she or they, on going to or returning from a funeral, divine worship, or election or military training, every such person shall forfeit and pay the sum of five dollars, to be recovered in the corporate name of the said company before any justice of the peace, or other court of competent jurisdiction, by action of debt or otherwise, as debts of like amount are by law recoverable.

Dividends

SECTION 15. That dividends of the clear profits of the said bridge shall be made on the first Mondays in April and October in each year, after the full payment of all the debts, charges and expenses for the building thereof.

Penalty for in-
jury to bridge.

SECTION 16. That if any person or persons shall wilfully pull down, break, injure or destroy any part or parts of said bridge, or any toll house, gates, bars, or any other property of the said corporation appertaining to or erected for the use or convenience of said bridge, or of the person employed for the purpose of attending to the same, or shall wilfully, without the consent or order of the said corporation, deface or destroy any list of the rates of toll affixed in any place or places for the information of passengers and others, or who shall wilfully or maliciously obstruct or impede the passage on or over said bridge, or any part or parts thereof, he, she or they so offending, shall forfeit and pay for each and every such offence to the said corporation, the sum of ten dollars, to be recovered before a justice of the peace as debts of like amount are recoverable; and if any person shall be guilty of carrying any lighted segar or pipe, or of carrying fire in any manner whatsoever over said bridge, except in a lantern or in some vessel secured, so that the possibility of setting fire to said bridge shall be fully prevented, or who shall discharge any pistol or gun, or any fire arms on or near the said bridge, so that the bridge might possibly be set on fire or injured by said cause, he or she so offending shall forfeit and pay to said corporation the sum of five dollars for every such offence, to be recovered as aforesaid; but no suit shall be brought for any of the aforesaid offences, unless commenced within thirty days after it shall be known who committed said offence; and he, she or they so offending, shall remain liable to actions at the suit of said corporation for such wrongs, if the sums herein mentioned be not sufficient to repair and satisfy said damages.

Commencement
and completion.

SECTION 17. That if the said company shall not proceed to carry on the said work within three years after they shall have been incorporated, it shall and may be lawful for the legislature of this commonwealth to resume all and singular the rights, liberties and privileges hereby granted to the said company: *Provided*, That the president and managers shall an-

PROVIDO

nually, in the month of January, publish in one or more newspapers a full account of the cost of building and repairing said bridge, and the amount of toll received.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 198.

AN ACT

To alter Water Street, in the borough of Pottstown, Montgomery county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Water street, in the borough of Pottstown, Montgomery county, lying between Hanover and Charlotte streets, be and the same is hereby changed and altered as follows, to wit: Beginning at Hanover street, at the corner of James Missimer's stone house, and thence extending eastwardly until it meets or intersects the northern line of said street, as originally laid out, and continuing along said line without any angle, until it meets Charlotte street, the southern line to correspond, and the present width to remain.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 199.

AN ACT

To enable the Sharon Iron Company, of Mercer county, to subscribe to the Stock of the Pittsburg and Erie Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the Sharon iron company, of Mercer county, to subscribe to the capital stock of the Pittsburg and Erie railroad company a sum not exceeding twenty thousand dollars: *Provided,* That said subscription shall not be made until the same shall have been assented to by a unanimous vote of the shareholders of the said Sharon iron company, present at a meeting called for the purpose, of which meeting full notice shall be given in the manner usual to said company.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HESTER,

Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 200.

A SUPPLEMENT

To an act to incorporate the Pattonsville and Woodberry Turnpike Road Company, approved the eighteenth day of March, A. D. one thousand eight hundred and fifty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Pattonsville and Woodberry turnpike road company be and they are hereby authorized to extend their road from Pattons-
 May extend road. ville to the town of Hopewell, on the Huntingdon and Broad Top railroad, in Bedford county, or to such point as the president and managers of said company may consider advisable, at or near the said town, or on any plank road or turnpike which may be laid out from Hopewell to Bloody Run, in Bedford; for which purpose the said company shall have and enjoy all the

rights, powers and privileges conferred on them, as well as be subject to all the provisions and restrictions contained in the act to which this is a supplement.

SECTION 2. That the said company are hereby authorized to make such part or parts of said extension as they may think advisable a plank road, subject to the provisions and requirements of the act regulating turnpike and plank road companies, approved twenty-sixth January, one thousand eight hundred and forty-nine, and the supplements thereto; and the time for the completion of the road of said company, is hereby extended for ten years from the present time. May plank part of road.

SECTION 3. That for the purposes aforesaid, the said company are hereby authorized to increase their capital stock to any amount that may be necessary: *Provided*, That said increase shall not exceed the sum of fifteen thousand dollars. May increase capital.
Proviso.

SECTION 4. That the said company are authorized to increase the rates of toll on each five miles of their road, as follows, to wit: For every cart or wagon with wheels four inches wide, and not exceeding seven inches, and for every sled or sleigh, an addition of one cent for each horse attached to or drawing the same. Tolls.

SECTION 5. That the exemption from toll of all persons with their vehicles or horses going to or from places of public worship, contained in the thirteenth section of the act regulating turnpike and plank road companies, passed twenty-sixth January, A. D. one thousand eight hundred and forty-nine, shall hereafter, upon the road of the aforesaid company, only apply to persons attending such places of worship on the Sabbath day. Exemption from tolls regulated.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 201.

A N A C T

Extending the provisions of an act to consolidate and amend the road laws of the counties of Beaver, Butler and Lawrence.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act, entitled "An Act to consolidate and amend the road laws of the counties of Beaver, Butler and Lawrence," approved the eleventh day of February, one thousand eight hun-*

LAWS OF PENNSYLVANIA,

dred and fifty-four, be and the same is hereby extended to the county of Bedford, to take effect on the first day of July next.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 202.

SUPPLEMENT

To the act incorporating the Columbia Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That hereafter dividends may be declared by the Columbia gas company on the second Mondays of July and January, instead of the days fixed for the same by the charter.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 203.

AN ACT

To provide a place for holding elections in the township of Cambridge, Crawford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the supervisors of Cambridge township, in Crawford county, are hereby authorized to levy and collect a township tax in said township, for the purpose of purchasing a lot of ground not exceeding one-half acre, and erecting thereon a suitable town house for all township purposes, or to join in the erection of any other public building or school house, in such way and manner as the parties may or shall agree upon; the said supervisors shall levy the aforesaid tax upon all real and personal property that is now taxable for county and road purposes, and shall collect the same in money, at the time and in the manner and by the same authority that the school tax is now or may be hereafter collected; and if any unappropriated balance shall remain in the treasury of said township, after paying for said lot and for the erecting of said buildings, the balance shall be appropriated for the payment of any debt, or for the expenses of said township: *Provided*, That the aforesaid tax shall be collected and kept in a separate fund for the above mentioned purposes, and that the aforesaid town house or other accommodations in any public building or school house shall be furnished for election and other township purposes, on or before the second Tuesday of October, one thousand eight hundred and fifty-seven.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 204.

A SUPPLEMENT

To the act, entitled "An Act to incorporate the Lackawanna and Bloomsburg Railroad Company," approved the fifth day of April, Anno Domini one thousand eight hundred and fifty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for said company to extend their road to and connect it with the Catawissa, Williamsport and Erie railroad, at any point in Columbia county, not more than three miles from Bloomsburg, and said company shall not be required to locate their road to or through said town of Bloomsburg: *Provided*, That this act shall not impair their right to extend their road to Danville, in Montour county, under their act of incorporation.

Road may be extended.

Proviso.

SECTION 2. That it shall be lawful for said company to construct a bridge or bridges across any stream or river on the

Bridges and lateral roads may be built.

route of any of the branch or lateral roads authorized by the act of incorporation, in such manner as not to impede the navigation of such river, or of any stream which may have been declared a public highway.

May locate road
on the canal bank

SECTION 3. That said company, with the assent and under the supervision of the supervisor of the North Branch canal, may locate their road at certain points thereof upon the berme bank of said canal, and erect wharves and landings thereon for the deposit and shipment of coal and other articles, in such manner as to do no injury to or encroach upon the bed of the same.

May remove cer-
tain buildings at
Berwick

Provided

SECTION 4. That for the purpose of locating their road the said company may remove any lock house or other building owned by the commonwealth, at the town of Berwick, first paying into the treasury of the commonwealth the amount of damages occasioned thereby: *Provided*, That the canal commissioners shall agree to such removal and fix the amount of damages to be paid by the company.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED —The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 205.

A SUPPLEMENT

To an act, entitled "An Act to authorize the appointment of an Auctioneer in Clinton county, and in the borough of Meadville, Crawford county," passed the thirtieth March, one thousand eight hundred and fifty-four.

Former act con-
strued.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the goods, wares and merchandize mentioned in the first section of the act of March thirtieth, one thousand eight hundred and fifty-four, authorizing the appointment of an auctioneer in the county of Clinton, and in the borough of Meadville, so far as regards and relates to said borough, shall be confined to those goods, wares and merchandize, which a resident merchant or dealer in said borough may have remaining on hand of his own undisposed of at the time the sale thereof may commence, and shall not extend to those he may subsequently purchase.*

Auctions in Craw-
ford county ex-
plained.

SECTION 2. That the term auction, as applied and used in the several laws of this commonwealth relative to sales by auction in Crawford county, shall extend to and include all kinds of

sales at public outcry, whether the bidding be upward or downward, or otherwise.

SECTION 3. That any person or persons convicted in the court of quarter sessions of Crawford county, of violating the provisions of this act, shall be sentenced to pay a fine of not less than fifty dollars, nor more than three hundred dollars, at the discretion of the court. Penalty for violating this act

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 206.

AN ACT

Repealing a supplement to an act incorporating the Western Insurance Company of the city of Pittsburg, passed April sixth, one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the supplement to the act incorporating the Western insurance company of the city of Pittsburg, in the county of Allegheny, passed April the sixth, one thousand eight hundred and fifty, be and the same is hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 207.

AN ACT

To authorize the Sunbury Canal and Water Power Company to erect a Boom in the West Branch of the Susquehanna river.

Authorized to
construct a boom
in the West
Branch.

Proviso.

Powers and re-
strictions.

New boom may
be abated when
inconvenient.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Sunbury canal and water power company are authorized and empowered to erect and maintain in the West Branch of the Susquehanna river, below Turtle creek, and not less than one mile above the West Branch bridge at Northumberland, such boom or booms, with piers, as may be necessary for stopping and securing logs, masts or spars, and other lumber floating on said river, either belonging to said company, or other person or persons, or company, and to erect such piers, side branches or shear booms as may be necessary for that purpose: *Provided,* That said booms shall not extend more than one-third way across said river, and shall be so constructed as to admit the passage of rafts, boats, logs or other lumber, up or down the said river, and not to impede the navigation of said river, or the branches thereof.

SECTION 2. That for the purpose of erecting, maintaining and using said boom or booms, the said company shall have all the rights, powers and privileges, and be subject to all the provisions and restrictions conferred and imposed upon the West Branch boom company by the act incorporating the same, approved the twenty-ninth day of March, one thousand eight hundred and forty-nine, except so far as the same are inconsistent with this act; and whereby any provisions of the said act, anything is required to be done by or proceedings had in the court of common pleas, or publications made for the purpose of this act, and so far as the same relates to the said Sunbury canal and water power company, the same shall be done and the proceedings had in the court of common pleas of Northumberland county, and such publications made in one newspaper printed at Sunbury.

SECTION 3. That upon the representation of any person to the court of quarter sessions of Northumberland county, that said boom impedes the navigation of the said river, the said court shall make inquiry into the truth of such representation, and if the same, in their opinion, is in violation of this act, they may cause the same, or such portions thereof as may be necessary, to be abated, at the cost of the said boom company.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 208.

A N A C T

To enable the Court to decree a certain Trust terminated.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Dr. James S. Rich, the present trustee under a certain deed of trust, made the thirty-first day of January, one thousand eight hundred and thirty-five, between Samuel Harbison, of the county of Bucks, and state of Pennsylvania, of the first part, and James Kelly and Henry Moore, of the same place, of the second part, and recorded in the office for recording deeds, et cetera, in the county of Bucks, in miscellaneous book number seven, page one hundred and forty-seven, et cetera, be and he is hereby authorized to re-convey the premises therein described unto the said Samuel Harbison; and the estate held in trust by the provisions of said deed shall, from and after the passage of this act, devolve upon the said Samuel Harbison, and be held and enjoyed by him absolutely, without any restraint or control; and the said trustee, Doctor James S. Rich, is hereby required to settle his account in the court of common pleas of Bucks county, of the management of said trust, under the provisions of the above deed of trust, as soon as convenient, and pay the balance ascertained to be in his hands to the said Samuel Harbison, and upon such payment the said trustee shall be forever discharged from said trust: *Provided, That the said court shall be satisfied that the occasion and object of said trust has ceased, and shall first make a decree directing such re-conveyance.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 209.

AN ACT

To remove certain disabilities of P. Filbert, in consequence of his removal to Virginia.

WHEREAS, Peter Filbert, of the city of Reading, in the county of Berks, removed to the State of Virginia some two years ago, for the purpose of making it his residence, and returned to his former residence, the city of Reading, within six months thereafter:

And whereas, It is believed that by the charter of said city of Reading he would be ineligible to any of the city offices; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That any of all the disabilities incurred by the said Peter Filbert, of the city of Reading, in consequence of his removal from the same into the State of Virginia, be and the same are hereby removed, and that the said Peter Filbert be restored to all his rights and privileges as a citizen of the city of Reading, as fully and effectually as they were at any time prior to such removal.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 210.

AN ACT

Authorizing the opening of a Street in the city of Pittsburg.

WHEREAS, The city of Pittsburg did, by ordinance of the councils of said city, enacted on the twenty-eighth day of July, one thousand eight hundred and fifty-three, among other things, vacate and consent to the vacation of so much of Ferguson street, in the said city, as lies between a point on said street

five hundred and fifty feet east from the eastern line of Lumber street and Morton street, and did give exclusive occupancy and use thereof to the Pennsylvania railroad company: *Provided*, That the said company should at its own cost cause to be laid out and graded along the south line of the southern track of said railroad, and parallel to and adjoining therewith a space or street of forty feet in width, extending the length of that part of Ferguson street vacated and connecting therewith:

And whereas, The said company has no power to take and appropriate the strip of land necessary for the opening of said space or street:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That all the rights, power, privileges and proceedings provided for by any existing law by which the Pennsylvania railroad company may appropriate land for the necessary route of the road, or any other purposes connected therewith, be and they hereby are extended to and so as to embrace the said space or street of forty feet in width, extending the length of that part of Ferguson street vacated by the ordinance of the city of Pittsburg of July twenty-eighth, one thousand eight hundred and fifty-three: *Provided*, That compensation be made to the owners of any property which may be taken for said space or street, in the manner now provided by law for the ascertaining of the damage arising from the taking of land for the necessary route of the road, or other purposes connected therewith; and in estimating said question of damage, the viewers shall make a fair and just comparison of the advantages and disadvantages, and consider and determine whether upon the whole the taking of the said land is or is not an injury, and award and report accordingly: *Provided also*, That when the proceedings are completed, the ground so to be taken shall be forever a public highway and one of the streets of the city of Pittsburg, like all other streets in said city: *Provided further*, That the viewers appointed in this case shall be residents of the county of Allegheny: *And provided further*, That this act shall not be construed to effect any portion of said Ferguson street lying east of Morton street.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 211.

AN ACT

Relative to the pay of the County Commissioners of the counties of Bradford, Centre, Lawrence and Beaver.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the county commissioners of the counties of Bradford, Centre, Lawrence and Beaver, be allowed two dollars per day for time employed in the business of the county.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 212.

AN ACT

To authorize the President and Managers of the Jarrettown and Horsham Turnpike Road Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the president and managers of the Jarrettown and Horsham turnpike road company be and they are hereby authorized to borrow, for the purposes of the company, any sums of money not exceeding two thousand dollars, under the same provisions and restrictions as are imposed and provided for by the second section of an act, entitled "A supplement to an act, entitled 'An Act to incorporate the president and managers of the Danborough and Point Pleasant turnpike road company,' approved the thirtieth day of March, one thousand eight hundred and forty-eight," excepting that the powers and duties therein given to and enjoined on the courts of common pleas of Bucks county, be and the same are hereby given to and enjoined on the courts of common pleas of Montgomery county, and also that they*

shall not issue certificates of loan for a less amount than one hundred dollars.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 213.

A N A C T

To enable the Executors of the Estate of John Eckel, deceased, to sell certain Real Estate in Schuylkill county.

WHEREAS, The estate of John Eckel holds an undivided interest with C. E. Spangler, William Donaldson and others in certain coal lands, situate in Schuylkill county, state of Pennsylvania : Preamble

And whereas, The other owners are about to convert their respective interests therein into the bonds and capital stock of the corporation duly established, by the name of the Donaldson improvement and railroad company and Broad Mountain improvement and railroad company :

And whereas, The interests of the widow and heirs of the said John Eckel would be greatly prejudiced by the sale of the said lands under proceedings in partition, which are now threatened by the other owners ; and inasmuch as Wm. Raiguel, the executor of said estate, has no authority by law to convey the same to the said company, and receive, as the other owners are about to do, payment in the bonds and stock thereof ; and inasmuch as it may also be important for the interests of said estate, that the said executor shall have authority to sell other real estate of said decedent ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Wm. Raiguel, executor of John Eckel, deceased, be and is hereby authorized and empowered to sell and convey, by good and sufficient deeds, in fee simple or otherwise, at public or private sale, to the said Donaldson improvement and railroad company and to the Broad Mountain improvement and railroad company, to both or either of them, all the undivided interest of the said John Eckel in the coal lands situated in the county of Schuylkill, in the state of Pennsylvania, and to receive in payment therefor the bonds and stock of the said company, as may be agreed upon between

Executor of John Eckel authorized to sell the coal lands of deceased to certain companies.

Proceeds, how to
be disposed of.

Proviso

Said executor
may sell at pub-
lic or private sale

Proviso.

them, (and to sell said bonds and stock, or any part thereof, and convert the proceeds into other securities,) the same, and the proceeds thereof, when realized by sale or otherwise, to be held by him in the same manner, and for the same purposes, and under the like trusts, as are set forth for and in respect to the said real estate, in the last will of the said John Eckel, deceased: *Provided however*, That the said Wm. Raiguel shall not so sell and convey the said real estate, without the consent thereto of the widow of the said John Eckel, and the guardian of his minor children, be first duly had and obtained, to be shown by their becoming parties to the deed or deeds of conveyance.

SECTION 2. That the said executor, Wm. Raiguel, be and is hereby authorized and empowered to sell and convey, in fee simple or otherwise, at public or private sale, for cash or credit, as he may think best, all or any part or parts of the coal lands in Schuylkill county, of which the said John Eckel died seized, or any legal or equitable interest which he, the said John Eckel, had in any such estate at the time of his death, and to convey the same, whether sold together or in parts, by good and sufficient deeds, and other assurances if needful, in writing, to the purchaser or purchasers thereof, as fully and effectually as the same could be done if the said John Eckel were living; the moneys or other considerations received on each and every such sale, to be held by said William Raiguel in the same manner, for the same purposes, and under the like trusts, as are set forth for and in respect to such real estate, in the will of the said John Eckel, deceased: *Provided*, That before any such sale shall be made, the consent thereto of the widow of the said John Eckel and guardian of his minor children be first duly had and obtained, to be shown by their becoming parties to the deed or deeds of conveyance.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 214.

AN ACT

To vest the interest of the Commonwealth in the estate of Margaret Maybury, deceased, in her illegitimate daughter, Mary Frame.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the interest of the commonwealth in the estate of Margaret Maybury, late of Chester county, deceased, derived by escheat or otherwise, be and the same is hereby vested in her illegitimate daughter, Mary Frame

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 215.

A SUPPLEMENT

To an act to incorporate the Feasterville and Bridgetown Turnpike Company, approved the seventeenth day of April, one thousand eight hundred and forty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Feasterville and Bridgetown turnpike company shall have power to charge the same toll for any fraction of a mile, as they are authorized to charge per mile by the act to which this is a supplement.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK

No. 216.

A N A C T

For the erection of a House of Employment and Support of the Poor of the county of Indiana.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* William Evans, Robert Elder, Thomas White, John Hamilton, of East Mahoning township, Hugh M. Speedy, Adam Lowrey, John Bullison, Archibald Coleman, William Stewart and John Graff, be and are hereby appointed commissioners, whose duty it shall be, or a majority of them, on or before the first day of June, Anno Domini one thousand eight hundred and fifty-five, to meet at the court house, in the borough of Indiana, to determine upon what real estate they shall deem necessary for the accommodation of the poor of said county, and then to advertise for proposals for the sale of such real estate to and purchase by the directors of the poor and of the house of employment for the county of Indiana; and the said commissioners, or a majority of them, shall, on or before the first day of September, Anno Domini, one thousand eight hundred and fifty-five, enter into a contract for and in behalf of the directors, et cetera, for the purchase of such real estate as may be necessary for the purposes aforesaid, the title to the same to be conveyed to the said directors of the poor and of the house of employment for the county of Indiana, which contract, so made by the commissioners above named, or a majority of them, under their hands and seals, for and in behalf of the directors aforesaid, shall be and is hereby declared to be binding upon the corporation, hereinafter named in section third, as fully as if the same was entered into by the said corporation after they come into existence; but the said commissioners are not to be personally responsible for any act they may lawfully do in and about the said purchase; and the said commissioners shall certify their proceeding therein, under their hands and seals, to the clerk of the court of quarter sessions of the county of Indiana, to be filed in his office; and at the next general election the qualified electors of Indiana county shall elect three reputable citizens of said county to serve as directors of the poor and of the house of employment for the county of Indiana; and within thirty days after the said election, the said three citizens so elected directors of the poor, et cetera, shall meet at the court house, in the borough of Indiana, and shall draw lots for the terms of respective office; and the director who shall draw lot number one, shall serve until the next election, and his successor is duly qualified; and the director who shall draw lot number two, shall serve until the general election in one thousand eight hundred and fifty-seven, and until his successor is duly qualified; and the director who shall draw lot number three, shall serve until the general election in Anno Domini one thousand eight hundred and fifty-eight, and until his successor is duly qualified; and at the general election in

Commissioners

Duties.

Election of directors of the poor

Terms

said county of Indiana, commencing with the year Anno Domini one thousand eight hundred and fifty-six, and annually thereafter, the qualified citizens shall elect one person as director of the poor, et cetera, of Indiana county, who shall serve for the term of three years; and the judges of the elections in said county shall make out the return of the election for directors of the poor, et cetera, as is now provided for county commissioners, and shall file the same in the office of the clerk of the quarter sessions of the peace of Indiana county, who shall give notice in writing to the said directors of their being duly elected, and the said directors shall meet at the court house, in the borough of Indiana, within thirty days after the said election as aforesaid.

Returns of election.

Clerk of quarter sessions to notify persons elected directors.

SECTION 2. That every director elected in the manner aforesaid, or appointed as directed by the eleventh section of this act, shall, within ten days after he is notified of such election or appointment, and before he enters upon the duties of his office, take an oath or affirmation, which shall be filed in the office of the clerk of the court of quarter sessions, which any justice of the peace of the said county is hereby authorized to administer, that he will discharge the duties of the office of director of the poor for the said county truly, faithfully and impartially, to the best of his knowledge and ability; and in case of neglect or refusal to take the said oath or affirmation within the time aforesaid, he shall forfeit and pay the sum of ten dollars for the use of the poor of said county, which fine shall be recovered by the directors for the time being as debts are or shall be by law recoverable; and the directors, qualified as aforesaid, are hereby authorized to administer an oath or affirmation in any case when it shall be necessary in relation to the duties of their office.

Directors to be sworn.

Penalty for refusing to serve.

SECTION 3. That the said directors shall forever hereafter, in name and in fact, be one body politic and corporate in law, and shall have perpetual succession, and may sue and be sued, plead and be impleaded, by the name, style and title of the "Directors of the poor and the house of employment for the county of Indiana," and by that name shall and may receive, take and hold any lands, tenements and hereditaments not exceeding the yearly value of ten thousand dollars, and any goods and chattels whatsoever of the gift, alienation or bequest of any person or persons whatsoever, to purchase, take and hold any lands and tenements within their county, in fee simple or otherwise, and erect suitable buildings for the reception, use and accommodation of the poor of the said county; to provide all things necessary for the lodging, maintenance and employment of the poor; to appoint a treasurer annually, who shall give bond with full and sufficient security for the faithful discharge of the duties of his office, and at the expiration thereof for the payment and delivery over to his successor in office of all moneys, bonds, notes, book accounts and other papers to the said corporation belonging, which shall then be remaining in his hands, custody and possession; and said directors shall have power to employ, and at pleasure remove, a steward or stewards, matron or matrons, physician or physicians, surgeon or surgeons, and all other attendants that may be necessary for the said poor respectively; to bind out apprentices so that such apprenticeship may expire, if males, at or before the age of twenty-one years; if females, at or before the age of eighteen years, such poor children as shall come under their notice, or as may now be bound apprentices by the over-

Body politic

Privileges.

Style.

Powers.

Treasurer.

Other officers.

Apprentices

seers of the poor: *Provided*, That no child shall be bound at a greater distance than thirty miles from the poor house, and to have not less than three months schooling in each year; and the said directors shall exercise and enjoy all such other powers now vested in the overseers of the poor as are not herein granted or supplied; and the said directors are hereby empowered to use one common seal in all business relating to the said corporation, and the same at their pleasure to alter and renew.

SECTION 4. That the said directors, as soon as may be after their election and organization as aforesaid, shall make an estimate of the probable expense of purchasing the lands and buildings, or erecting the necessary building or buildings, and furnishing the same, whereupon the county commissioners of the said county shall and they are hereby authorized and required to increase the county tax one-sixth of the sum necessary for the purpose aforesaid, and shall procure on loan on the credit of the taxes herein directed to be levied, the remaining five-sixths thereof to be paid in instalments with interest out of the county taxes: *Provided always*, That not more than one-sixth of the whole amount of the sum necessary for the purpose aforesaid, shall be added to the county tax annually thereafter, to be paid by the county treasurer to the directors aforesaid, on orders drawn in their favor by the county commissioners, as the same may be found necessary.

SECTION 5. That it shall be the duty of the said directors, on or before the first day of November in each and every year, after the poor house shall have been completed, to furnish the commissioners of said county with an estimate of the probable expense of the poor and poor house for one year; and it shall be the duty of said commissioners to add the same to the current expenses of the county for the ensuing year, which shall be paid to said directors by the county treasurer on warrants drawn in their favor by the county commissioners, as the same may be found necessary; and the said directors shall once in every year render an account of all moneys by them received and expended, to the auditors appointed to audit and settle the county accounts, subject to the same penalties, rules and regulations, as are by law directed respecting the accounts of the county commissioners, which account shall be published in at least two public newspapers in the county, if there shall be so many published at and during the time that the accounts and expenditures of the county are published; and the said directors shall at least once in every year lay before the court of quarter sessions and the grand jury of said county, a list of the number, ages and sex of the persons maintained and employed in the house of employment, or supported or assisted by them elsewhere, and of the children by them bound out to apprenticeship as aforesaid, with the names of their masters or mistresses, and their trade, occupation or calling, and shall at all times, when thereunto required, submit to the inspection and free examination of such visitors as shall from time to time be appointed by the court of quarter sessions of the said county, all their books and accounts, together with the rents, interests and moneys payable and receivable by the said corporation, and also an account of all sales, purchases, donations, devises and bequests, as shall have been made by or to them.

SECTION 6. That as soon as the said buildings shall have been erected or purchased, and all necessary accommodations pro-

vided therein, notices shall be sent, signed by any two of the said directors, to the overseers of the several townships of the said county of Indiana, requiring them forthwith to bring the poor of their respective townships to said house of employment, which order the overseers are hereby enjoined and required to comply with, or otherwise to forfeit the costs of all future maintenance, except in cases where by sickness or any other sufficient cause any poor person cannot be removed, in which case the said overseers shall represent the same to the nearest justice of the peace, who being satisfied of the truth thereof, shall certify the same to the directors, and at the same time issue an order under his hand and seal, to the said overseers, directing them to maintain such poor until such time as he or she may be in a situation to be removed, and then convey the said pauper and deliver him or her to the steward or keeper of the said house of employment, together with the said order; and the charge and expense of such temporary relief, and of such removal, shall be paid by the said directors.

Notice to overseers of the poor, and their duties

SECTION 7. That the said directors shall, from time to time, receive, provide for and employ, according to the true intent and meaning of this act, all such poor and indigent persons as shall be entitled to relief, or shall have gained a legal settlement in the county of Indiana, and shall be sent there by an order or warrant for that purpose, under the hands and seals of any two justices of the peace, directed to any constable of the said county of Indiana, or to the overseers of the proper township in any other county in this commonwealth; and the said directors are hereby authorized, when they shall deem it proper and convenient to do so, to permit any poor person or persons to be maintained elsewhere: *Provided*, That the expense of their maintenance shall not, in any case, exceed that for which they could be maintained at the poor house of the county of Indiana.

Relief of indigent persons.

Proviso.

SECTION 8. That the said directors, or any two of them, who shall be a quorum in all cases to do business, shall have power to make and ordain such ordinances, rules and regulations as they shall think proper, and convenient, and necessary for the direction, government and support of the poor and house of employment aforesaid, and of the revenues thereunto belonging, and of all such persons as shall come under their cognizance: *Provided*, That the same be not repugnant to this law, or any of the laws of this state, or of the United States: *And provided also*, That the same shall not have any force or effect until they shall have been submitted to the court of common pleas of the county of Indiana, and shall have received the approbation of the same.

Quorum.

By-laws. &c

Proviso.

Proviso.

SECTION 9. That the said directors, or a majority of them, shall have full power and authority to administer oaths or affirmations to all persons residing in said house of employment, or becoming chargeable to the said county, touching their place of legal settlement; and in case such poor person or persons shall refuse to take the said oath or affirmation, or shall refuse to answer such questions as shall be asked by the said directors, touching and relative to the said settlement, the said directors may withhold all further relief from such poor person or persons until he, she or they shall consent to take such oath or affirmation, and answer all such questions as aforesaid; and the said board of directors, or a majority of them, in addition to the power hereinbefore granted, are authorized and empowered to

Settlement of paupers.

administer oaths and affirmations in all cases whatever relating to their official duties.

Meetings of directors.

SECTION 10. That a quorum of said directors shall, and they are hereby enjoined and required, to meet at the said house of employment at least once in every month, and visit the apartments and see that the poor are comfortably supported, and hear all complaints and redress, or cause to be redressed all grievances that may happen by the neglect or mismanagement of any person or persons in their employment, or otherwise.

Compensation.

SECTION 11. That the said directors shall each of them receive, for their services, annually, the sum of twenty-five dollars, and mileage at four cents per mile, to defray the expenses of the necessary attendance on the duties of their office.

Vacancies.

SECTION 12. That in case of any vacancy by death, resignation or otherwise, of any the said directors, the remaining directors shall fill such vacancy by appointment of a citizen of the county of Indiana, under the same penalty as is provided by the third section of this act, to serve until the next general election, when another director shall be elected to serve the unexpired term.

Claims against overseers of the poor and taxes due them.

SECTION 13. That all claims and demands existing at the time of this act being carried into effect, shall have full force and effect as if this act had not passed; and when the same may have been duly adjusted and settled, all moneys remaining in the hands of the overseers, as well as the uncollected taxes levied for the support of the poor in the several townships in the county of Indiana, shall be paid over to the treasurer of the poor house, to be applied to the maintenance and support of the poor.

Office of overseer to cease.

SECTION 14. That as soon as the poor of the county of Indiana shall have been removed to the house of employment of the said county, and the outstanding taxes collected and paid over, the office of overseer of the poor within the said county, shall from thenceforth be abolished.

Certain powers and duties to be discharged by the supervisors of highways.

SECTION 15. That the powers conferred and the duties imposed upon the overseers of the poor, in and by an act to empower the overseers and guardians of the poor in the several townships within this commonwealth, to recover certain fines, penalties and forfeitures, and for other purposes, are hereby conferred and imposed on the supervisors of the highways in the said county of Indiana; and that the justices of the peace and sheriff of the said county of Indiana are hereby required and enjoined to pay to the said supervisors, to be by them applied to the repair of the highways, the aforesaid fines, forfeitures and penalties, within the time, and in the manner prescribed by the said act for the payment thereof in other counties, to the overseers of the poor, and to give notice of the receipt thereof to the said supervisors, within the time and in the manner aforesaid; and that for any neglect or refusal to perform any of the duties enjoined on them by the said act, the said justices of the peace and sheriff in the said county shall be subject to such fines, penalties and forfeitures, as the justices and sheriffs in other counties by the said act are subject or liable.

Superintendent may be employed

SECTION 16. That the said directors, if they see proper, are hereby authorized to employ some competent person to superintend the erection of the said house of employment, and see that the contract for the erection of the same is fulfilled, and pay him for his services a sum not exceeding seventy-five dollars per

annum, to be paid by an order or orders drawn on the county commissioners.

SECTION 17. That so much of the laws of this commonwealth relating to the poor, as are by this act altered or supplied, be and the same are hereby repealed, so far as they affect the county of Indiana. Repeal.

SECTION 18. That the sheriff of said county of Indiana shall, in due time, notify the said commissioners of their appointment, and when and where they shall meet for entering upon the duties assigned them by this act. Duty of Sheriff

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 217.

AN ACT

For the Relief of John G. Lowry, late Treasurer of Centre county

WHEREAS, It is alleged that John G. Lowry, late treasurer of Centre county, under the instructions of the state treasurer, as contained in his letter of March seventeenth, one thousand eight hundred and forty-seven, received the sum of one hundred and ninety-five dollars in Lewistown Bank paper, which was at par when received for taxes; but inasmuch as the state treasurer and auditor general doubt their authority to place said money to said treasurer's credit, the bank having broken before said money was forwarded to the state treasurer; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general and state treasurer be and are hereby authorized and required to examine and settle, or re-settle, the claim or account of John G. Lowry, late treasurer of Centre county, as aforesaid, and to allow him a credit for so much of said depreciated Lewistown Bank paper as he may have received for taxes, for the use of the state, prior to the failure of said bank: Provided, That he shall prove, to the satisfaction of the said accounting officers, that the money was bona fide received*

by him, for the use of the commonwealth, previous to the failure of said bank.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 218.

AN ACT

To extend the provisions contained in the fourth, fifth, sixth, seventh and eighth sections of an act, entitled "A supplement to an act, entitled 'An Act to prevent waste in certain cases within this commonwealth; relative to Land and Building Associations,' et cetera, approved the twenty second day of April, one thousand eight hundred and fifty," to certain counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the fourth, fifth, sixth, seventh and eighth sections of an act, entitled "A supplement to an act, entitled 'An Act to prevent waste in certain cases within this commonwealth,' passed the twenty-ninth day of March, one thousand eight hundred and twenty-two; to land and building associations; giving the court of Susquehanna county jurisdiction in a certain case; relative to the service of process in certain cases; to party walls in West Philadelphia; to the proof of certain will; to the sale and purchase of certain burial ground in Philadelphia; to the laying of gas pipes in the district of Moyamensing; to the relief of certain sureties in Erie county; to the State Lunatic hospital; relative to the service of process against sheriffs; to the rights of married women; to ground rents, and relative to foreign insurance companies," approved the twenty-second day of April, one thousand eight hundred and fifty, be and the same are hereby extended to the counties of Bucks, Carbon, Lancaster and Lehigh, Mifflin and Juniata.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 219.

A SUPPLEMENT

To an act, entitled "An Act to enable the Governor to incorporate a Company for making an Artificial Road, by the best and nearest route, from the borough of York to the Maryland Line, at the place the present York Road passes the same, or as near thereto as the Commissioners shall find expedient."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the number of managers or directors now required by the third section of the original act, approved thirty-first March, one thousand eight hundred and seven, be reduced; and that hereafter the stockholders shall choose by ballot, to be delivered in person or by proxy duly authorized, on the second Monday of March hereafter, one president, six managers and one treasurer, to conduct the business of said company. Number of managers reduced.

SECTION 2. That such part of the fifth section of the original act, approved March thirty-first, one thousand eight hundred and seven, requiring the transfer of the stock of said company to be made in the presence of two witnesses, be and the same is hereby repealed; and that hereafter all transfers of stock in said company, executed either in person or by attorney, upon the books of said company, in the presence of one witness, shall have the same effect and validity as if such transfer had been made on the original certificate of stock, and executed in the presence of two witnesses, as has heretofore been the practice; the said transfer to be signed either by the principal or his attorney, on the transfer books of said company. Transfer of stock regulated.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 220.

A SUPPLEMENT

To an act to enable the Governor to incorporate a company to make an Artificial Road, by the best and nearest route, from the north end of George street, in the borough of York, to the Canal Ferry on the river Susquehanna, and from thence up the said river to the head of Conewago falls.

Number of managers reduced and time of election fixed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the number of managers or directors now required by the third section of the original act, approved the second day of March, one thousand eight hundred and nine, be reduced; and that hereafter the stockholders shall choose by ballot, to be delivered in person or by proxy duly authorized, on the second Monday of March hereafter, one president, six managers and one treasurer, to conduct the business of said company.

Transfers of stock regulated.

SECTION 2. That hereafter all transfers of stock in said company, executed either in person or by attorney, in the presence of one witness, upon the books of said company, shall have the same effect and validity as if such transfer had been made on the original certificate of stock, executed in the presence of two witnesses, as has heretofore been the practice; the said transfers to be signed either by the principal or his attorney, on the transfer books of said company: *Provided,* That the original certificate shall be surrendered to the company.

Proviso.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 221.

AN ACT

Relative to the Bridge over Big Mahoning creek, in Jefferson county.

WHEREAS, Charles B. Hutchinson, Thomas Hall and Jacob S. Steck, commissioners of Jefferson county, made a subscription of four hundred dollars for the purpose of re-erecting a bridge

over the Big Mahoning creek, at a place known as Hoover's Mill, in Young township, Jefferson county, which said sum of four hundred dollars has been paid by the commissioners of Jefferson county, by orders drawn on the treasurer, and who has paid the same; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the said bridge so re-erected be and the same is hereby declared a county bridge; and the subscription thereto made by the commissioners, and all acts done under said subscription, be and the same are hereby declared to be valid and legal.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 222.

AN ACT

To authorize the York Furnace Bridge Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the York Furnace bridge company be and they are hereby authorized to borrow, for the purpose of finishing their bridge, any sum of money not exceeding eighteen thousand dollars, at any rate of interest not exceeding seven per cent. per annum; and that they hereby are authorized to pledge their bridge as a security for the payment of moneys borrowed as aforesaid.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 223.

AN ACT

For the Relief of Catharine Buechle, widow of an old soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized and directed to pay to Catharine Buechle, of Butler county, widow of a soldier in the Indian wars, a gratuity of forty dollars, and an annuity of forty dollars during the term of her natural life, commencing on the first day of January, one thousand eight hundred and fifty-five, and payable half yearly thereafter, on the first of January and July.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The tenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 224.

AN ACT

Relative to Militia Fines in certain counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the commissioners of Bradford, Luzerne, York, Washington and Lancaster counties are hereby authorized to make such settlements and exonerations of militia fines hereafter, until the third Monday of July next, as they were under existing laws authorized to make on or before the first Monday of December, one thousand eight hundred and fifty-four.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 225.

AN ACT

To legitimate Grafton Fox.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Grafton Fox, son of James Fox, of Harrisburg, Dauphin county, shall have and enjoy all the rights and privileges of a legitimate child of the said James Fox, and shall be able and capable in law to inherit and transmit to his children, or other immediate descendants, or to the heirs of his said father, any estate whatsoever, as fully and effectually, and to all intents and purposes, as if he had been born in lawful wedlock.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 226.

SUPPLEMENT

To an act relating to the Commencement of Actions, approved the thirteenth of June, one thousand eight hundred and thirty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* no person or company engaged in the business of forwarding or transporting goods, wares and merchandize shall be made liable in any proceedings in attachment as garnishee or otherwise, when such goods, wares or merchandize are in transitu, and at the time of service of process beyond the limits of this commonwealth, without default, collusion or fraud on the part of such person or company.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 227.

A FURTHER SUPPLEMENT

To the act, entitled "An Act relating to Orphans' Courts," passed the twenty-ninth day of March, one thousand eight hundred and thirty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* hereafter in all cases of partition in the orphans' court, where said court shall order and decree any party taking any portion of the estate at the appraisement, to give any recognizance for the payment of any part of the valuation, it shall be the duty of the clerk of said court, in all cases in which an auditor has not been, or may not be appointed by the said court, for the purpose of ascertaining advancements, making distribution among heirs and parties in interest, to make a calculation exhibiting the amounts due the respective parties in interest, and to record said calculation, when approved by the court, upon the docket of said court as a part of the proceedings in each case, for which services the clerk shall be entitled to a fee of one dollar.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 228.

SUPPLEMENT

To the act approved the twenty-sixth of March, one thousand eight hundred and fifty three, giving and granting unto the Executors of Doctor Jacob Wagenseller, deceased, certain powers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* William F. Wagenseller and Alexander Jordan, executors of the last will and testament of Doctor Jacob Wagenseller, deceased, in addition to the powers granted them by the sixth and seventh sections of an act of the legislature approved March

twenty-six, one thousand eight hundred and fifty-three, be and they are hereby authorized and empowered, and the survivors of them, to sell and convey the bonds and stock of such incorporated company, or such part thereof as may be needed for the payment of any debts remaining unpaid against the said Doctor Jacob Wagenseller, deceased, or the late firm of J. and W. F. Wagenseller, and for the support, maintenance and education of the minor children of the said Doctor Jacob Wagenseller, deceased: *Provided*, That no such sale or transfer of bonds or stock be made by said executors, or the survivor of them, without the consent in writing of the heirs of said deceased, that are in their majority at the time of such sale or transfer, and the guardians of such as may be in their minority, or a majority of them.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 229.

AN ACT

To appoint Commissioners to lay out a Road in Juniata and Perry counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Samuel O. Evans, William Cox, of Juniata county, and Jesse Beaver, of Perry county, be and they are hereby appointed commissioners, to be sworn or affirmed according to law, to lay out a public road from the turnpike gate east of Thompsontown, in Juniata county, down Pfont's valley to the bridge over Cocolames creek, in Perry county; and the road located and laid out by them, when reported and returned to the court of quarter sessions of said counties of Juniata and Perry, shall be deemed and taken as a lawful and public road, to be opened and made by said counties, as county and township roads by law are now opened and made in said counties; and said commissioners are hereby authorized to employ a surveyor, axeman and chain-carriers to survey and lay out the same, at a sum not exceeding one dollar and fifty cents per day; and the said commissioners shall be entitled to receive one dollar and fifty cents for every day they may be engaged in viewing and laying out the same; and each of the counties aforesaid shall pay their proportional*

share of said costs of viewing, surveying and laying out said road.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 230.

AN ACT

To authorize the West Pittston Coal Company to pay interest to stockholders, and to subscribe to the stock of the Lackawanna and Bloomsburg Railroad Company.

Authorized to
pay interest

Proviso.

Proviso.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and directors of the West Pittston coal company be and they are hereby authorized, on the first Monday of June next, and semi-annually thereafter, to pay interest to stockholders, at the rate of three per centum per annum, on the par value of such stock of said company as at any one of said days of payment shall have been paid for, either in full or to the extent of such instalments as shall have been called for: *Provided,* That this act shall remain in force until said company shall be able to declare dividends from the profits of the business of the corporation: *And provided,* That no stockholder who has neglected or hereafter shall neglect to pay up any instalment that has been or may be called for, shall be entitled to receive interest as aforesaid.

Authorized to
subscribe to cer-
tain railroad

SECTION 2. That the president and directors of the West Pittston coal company be and they are hereby authorized to subscribe any amount, not exceeding fifty thousand dollars, to the capital stock of the Lackawanna and Bloomsburg railroad company.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 231.

A SUPPLEMENT

To an act to enable Joint Tenants, and Tenants in Common and Adjoining Owners of Mineral Lands in this Commonwealth, to manage and develop the same.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any companies which have been or may hereafter be incorporated under the provisions of the act to which this is a supplement, may divide the land authorized to be held by them into shares, of the value of not less than ten dollars; and the capital stock may be reduced to correspond with the reduction in the value of the shares hereby authorized.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 232.

AN ACT

Regulating Bridge Companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever a special act of the general assembly shall be passed, authorizing the incorporation of a company for the purpose of erecting a bridge over any creek or river within this commonwealth, the said company shall be organized and conducted under the same corporate privileges and restrictions, so far as the same may be applicable to a bridge company, as provided by the first, second, third, fourth, fifth, seventh, eighth, ninth, tenth and twenty-first sections of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, one thousand eight hundred and forty-nine.

Bridge companies, how organized and governed

SECTION 2. That before the president and managers of the company aforesaid shall proceed to build any such bridge, it

shall and may be lawful for them to contract with the owner or owners of any land, for the purchase of so much thereof as shall be necessary for the purpose of erecting and completing said bridge, and making all the necessary works and causeways to and from the same, if they can agree with the said owner or owners, but in case they cannot agree, then it shall and may be lawful for the said president and managers to apply to the court of quarter sessions of the proper county, who upon such application, are hereby authorized and required to appoint three disinterested and discreet persons of such county, who after being duly sworn or affirmed faithfully to perform the duties enjoined on them by this act, shall carefully proceed to view and examine so much of the said lands as shall be necessary for the purpose of erecting and completing the said bridge, and making all the necessary works and causeways to and from the same, and shall, according to the best of their skill and judgment, estimate the value of the said lands so necessary to be taken as aforesaid; and having estimated the advantages, as well as disadvantages which may be sustained by the owner or owners of such lands, shall make an appraisement thereof in writing, and the same shall return, together with a map or draft describing the bounds of such lands, to the said court of quarter sessions; and the said appraisement having been approved by the court, shall be filed in the office of the clerk of said court, together with the said map or draft; and the said president, managers and company having paid to the said owners respectively the several sums awarded to be paid to them, together with the costs of appraisement, after the same shall have been confirmed by the court, the said corporation shall be entitled to have and to hold to them, their successors and assigns the said lands, as fully as if they had been conveyed by their respective owners: *Provided*, That said appraisement shall be held to be confirmed by the court of quarter sessions, unless exceptions be filed by either party, within ten days after the same shall have been approved by the court and filed: *And provided*, That the said bridge shall be so constructed as not to interfere with the free navigation of said creek or river.

Contracts may be made.

Appraisers, when and how appointed.

To be sworn.

Their duties.

Proviso

Proviso.

SECTION 3. That when the said company shall have erected and completed a bridge over any creek or river, under the authority of this act, the property thereof shall be vested in the said company, their successors or assigns; and the said company, their successors or assigns shall have the power to erect gates, and to demand and receive tolls for crossing said bridge, at such rates as the president and managers shall from time to time determine: *Provided*, That they shall cause to be put up and kept in some conspicuous place at the gates of said bridge, a list of the rates of toll.

Tolls.

Proviso

SECTION 4. That if the said company, their successors or assigns, or any person employed for them, shall collect or demand any greater rate or prices, for passing over said bridge, than what is prescribed in the list of tolls put up at the gate as aforesaid, or neglect to keep said bridge in repair, he or they shall forfeit for every such offence the sum of ten dollars, to be recovered as debts of a similar amount are recovered, one-half to be paid to the county and the other half to the person who may sue for the same.

Penalty for taking illegal tolls, and for neglecting to keep bridge in repair.

SECTION 5. That the said president, and managers, and company shall keep a just account of all moneys received by their

Account of tolls to be kept.

several collectors of tolls for crossing the said bridge, and after deducting all contingent costs and charges, and such proportion of the income as may be sufficient for a fund to provide against the decay, the repairing and re-building of the said bridge, that time and accident may render necessary, they shall semi-annually declare and make a dividend of the balance among the stockholders, first giving notice, personally or by advertisement, of the time and place, when and where the same shall be paid, and shall cause the same to be paid accordingly in ten days thereafter, or as soon thereafter as the same shall be demanded.

Sinking fund.

Dividends

SECTION 6. That if any person or persons shall wilfully pull down, break or destroy, with intent to injure any part or parts of the said bridges, or any toll-house, gates, bars or other property of the said corporation erected for the use of said bridges, or shall wilfully deform or destroy the letters or figures in any list of the rates of tolls affixed in any place for the information of passengers, or shall wilfully or maliciously obstruct or impede the passage in or over the said bridges, or any part or parts thereof, he, she or they so offending shall, each of them, forfeit and pay for each and every such offence to the said company the sum of ten dollars, to be recovered as other debts of a like amount are recoverable; and if any person shall be guilty of carrying any lighted segar or pipe, or of carrying fire in any manner whatsoever over said bridge, except in a lantern or in some vessel secured, so that the probability of setting fire to said bridges shall be fully prevented, or shall discharge any pistol or gun, or any fire arms on or near said bridges, he, she or they so offending shall forfeit and pay to the said company the sum of five dollars each, with all other damages sustained to said bridges, for every such offence, to be recovered as aforesaid; or if any person or persons shall evade the payment of any toll or duty for passing said bridges, or ride or drive his or their horse or horses on or over said bridge in a faster gait than a walk, he, she or they so offending shall forfeit and pay to the said company the sum of five dollars for every such offence, to be recovered in like manner as aforesaid; but no suit shall be brought for any of the aforesaid offences, unless commenced within thirty days after it shall be known who committed said offence, and he, she or they so offending shall remain liable to action at the suit of said president, managers and company for such wrongs, if the sums herein mentioned be not sufficient to repair and satisfy said damage.

Penalty for injury to bridge.

Other penalties

Evading tolls.

SECTION 7. That if any company incorporated under this law for the purpose of erecting any bridge, as aforesaid, shall not proceed to carry on said work within the space of two years from the passage of their act of incorporation, and shall not within the space of five years thereafter complete the same, the rights and privileges thereby granted to the said company shall revert to the commonwealth.

Commencement and completion.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 233.

AN ACT

Relative to the Erection of Bridges over Canals and Railroads.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the laws of this commonwealth relative to the erection of bridges over rivers, creeks or rivulets, be and the same are hereby extended to the erection of bridges over canals and railroads: Provided, That bridges erected under the provisions of this act shall not obstruct any canal or railroad over which such bridge may be erected: And provided further, That nothing in this act shall release railroad, or other companies, or the commonwealth, from the requirements of existing laws.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 234.

A FURTHER SUPPLEMENT

To an act authorizing the Governor to incorporate the Pottsville Water Company, approved the eleventh day of April, Anno Domini one thousand eight hundred and thirty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Pottsville water company is hereby authorized and empowered to borrow any sum or sums of money, not exceeding fifty thousand dollars, for the purpose of extending their works, or to liquidate or fund any debts heretofore created in the construction of the same; and to secure the payment of the amount borrowed, shall make and execute a mortgage or mortgages, pledge or pledges, of the property and effects of said company, or give such other evidences of indebtedness as may be agreed*

upon: *Provided*, That no bond, certificate or other evidences of indebtedness shall be issued by said company for a less sum than one hundred dollars.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 235.

A FURTHER SUPPLEMENT

To an act providing for the publication of the Colonial Records and other original papers in the office of the Secretary of the Commonwealth, approved February fifteenth, one thousand eight hundred and fifty-one.

WHEREAS, By the act, entitled “An Act to provide for the ordinary expenses of government, the repairs of canals and railroads, and other general and special appropriations,” passed May ninth, one thousand eight hundred and fifty-four, an appropriation is made in section forty-nine to Samuel Hazard, as editor of the Pennsylvania Archives, which publication, by the sixty-sixth section of the same, is ordered to be continued, so as to embrace papers between seventeen hundred and eighty-three and seventeen hundred and ninety: Preamble

And whereas, In consequence of this extension the work remains unfinished, and the appropriation for the editor's salary was exhausted on the twenty-seventh February last; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Samuel Hazard be and he is hereby continued as editor of the Pennsylvania Archives until the printing and publication of the same shall have been fully completed, as contemplated by the sixty-sixth section of the act to provide for the ordinary expenses of government, et cetera, approved May ninth, one thousand eight hundred and fifty-four; and the said Samuel Hazard shall be entitled to receive for his services, (out of any money in the treasury not otherwise appropriated,) at the rate of fifteen hundred dollars per annum, payable monthly, commencing on the twenty-seventh day of February, one thousand eight hundred and fifty-five. Samuel Hazard continued as editor.
Salary

SECTION 2. That when all the papers contemplated by the several acts and supplements shall have been published, the aforesaid editor is hereby authorized to prepare a full general General index to be made.

index of the whole series of Records and Archives printed; which index, when prepared for publication, the secretary of the commonwealth is hereby authorized to have printed, allowing the usual difference between the present contract price and that of the type suitable for the index; the expense to be paid in the same manner as that of the preceding volumes of Archives.

Manuscripts to be bound.

SECTION 3. That for the purpose of verifying the correctness of the printed Archives with the manuscripts, and to remove doubts which may arise at any future time, the editor aforesaid is hereby empowered to cause the manuscripts to be bound in a strong and convenient manner, under the direction of the secretary of the commonwealth; and for defraying the expense of the same, the sum of three hundred dollars, or so much thereof as may be necessary, be and hereby is appropriated out of any moneys in the treasury not otherwise appropriated, the accounts being examined and audited in the usual manner.

Bound manuscripts to be deposited in State Library.

SECTION 4. That when the manuscripts shall have been bound, the secretary of the commonwealth is hereby authorized and directed to deposit them in the state library, to be preserved and kept for future reference.

Other documents to be framed.

SECTION 5. That the secretary of the commonwealth be and he is hereby authorized to cause to be framed, the manuscript originals of the constitution of the state, in one thousand seven hundred and ninety, and one thousand eight hundred and thirty-eight; also, the annual returns of the election of president and vice president from seventeen hundred and seventy-eight to seventeen hundred and eighty-nine, in such manner that they may be exposed to public view, in one of the rooms of the state department, and be preserved from injury.

Rolls and other papers to be bound.

SECTION 6. That the secretary of the commonwealth be and hereby is authorized to have bound such military and naval rolls, and other important papers, as are frequently referred to, to establish claims on the general government, or are particularly exposed to injury.

Appropriation.

SECTION 7. That to provide for the expenses attending the objects named in sections five and six, the sum of one hundred and fifty dollars is hereby appropriated out of any moneys in the treasury not otherwise appropriated.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 236.

AN ACT

Extending the provisions of an act to amend the Road Laws and change the manner of Assessing Damages in the opening of public and private roads in the county of Franklin, to the counties of Fulton and Cumberland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act to amend the road laws and change the manner of assessing damages in the opening of public and private roads in the county of Franklin," approved the twenty-third day of March, Anno Domini one thousand eight hundred and fifty-four, be and the same is hereby extended to the counties of Fulton and Cumberland.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 237.

AN ACT

To incorporate the Trustees of the Constitutional Presbyterian Publication House.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John A. Brown, Samuel H. Perkins, Charles S. Wurts, Matthew W. Baldwin and John C. Farr, citizens of the United States and of this commonwealth, and their successors, are hereby constituted and declared to be a body politic and corporate, by the name of the trustees of the Constitutional Presbyterian publication house, and as such shall have perpetual succession, and be able to sue and be sued, and to purchase and receive, take and hold, to them and their successors forever, lands, tenements and hereditaments, goods, money and chattels, and all kinds of property and estate which may be devised, or bequeathed, or given to them, or to the said assembly for them, and the same

Trustees

Style.

Privileges

to sell, alien, demise and convey ; also to make a common seal. and the same to alter and renew at their pleasure ; and also to make such rules, by-laws and ordinances as may be needful for the government of said corporation, and not inconsistent with the constitution and laws of the United States and of this state : *Provided always*, That the clear yearly income of the real estate held by the said corporation shall not at any time exceed the sum of five thousand dollars.

Provided

Trustees and
their election

SECTION 2. That the trustees above named shall hold their office till the first day of June, Anno Domini one thousand eight hundred and fifty-five, and until their successors are duly qualified to take their places, who shall be chosen by the said assembly and their successors, who may at any annual meeting increase the number of said trustees to ten, if in their judgment the interest of the churches under their care requires it : *Provided*, That such incorporators shall always be citizens of Pennsylvania.

Five trustees to
be chosen an-
nually

SECTION 3. That the said assembly and their successors shall, at their annual meeting in each and every year, wherever held, elect at least five trustees, who shall hold their office for one year, and until their successors are elected and qualified.

Powers of trust-
tees

SECTION 4. That the trustees hereby incorporated and their successors shall, subject to the direction of the said assembly and their successors, have full power to manage all funds, property and effects committed to their care, by gift, purchase, bequest or otherwise, and to execute any trusts confided to them by the said general assembly or their successors, in such manner as shall be deemed most advantageous, and not contrary to law or the intention of the donor or testator.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HESTER,

Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 238.

AN ACT

Authorizing the incorporation of the Consolidation Bank of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Charles W. Warnick, Daniel Trump, Joseph Walton, Watson Malone, Robert F. Taylor, Henry Croskey, John G. Davis, Joseph Yardley, James V. Watson, Samuel S. Richie, George Dilks,

George Mecke, Robert Shoemaker, James S. Watson, Benjamin Malone, George B. Sloat, A. S. Naudain, Joseph H. Collins, John P. Verree, Andrew Zane, Newlin Scholfield, John Manderson, Ludlam Matthews, Joseph Deal, William Overington, James M'Clintock, M. D., George Horter, George Butz, John Kessler, Jr., Daniel M. Fox, James D. Whetham, Morris H. Carpenter, Samuel P. Shoemaker, Robert Howell, Robert C. S. Lind, Jesse R. Burden and John C. Martin are hereby appointed, and they or any thirteen of them are authorized to carry into effect, from and after the passage of this act, the establishment of a bank, to be called the Consolidation Bank, to be located in the Eleventh ward of the city of Philadelphia, with a capital of five hundred thousand dollars, to be divided into ten thousand shares of fifty dollars each; and to be organized, managed and governed as is provided by the act regulating banks, approved the sixteenth day of April, one thousand eight hundred and fifty, and the several supplements thereto, and to be subject to all the provisions and restrictions, and to enjoy all the immunities contained in said act.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 239.

AN ACT

To restrain the Sale of Intoxicating Liquors.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first day of October next it shall be unlawful to keep or maintain any house, room or place where vinous, spirituous, malt or brewed liquors, or any admixtures thereof, are sold or drank, except as hereinafter provided; and all laws, or parts of laws, inconsistent with the provisions of this act, be and the same are hereby repealed.

Sale of liquor prohibited after October 1, 1855.

Repeal.

SECTION 2. That if any person or persons within this commonwealth shall keep for sale and sell, or in connection with any other business or profitable employment give, receiving therefor any price, profit or advantage, by any measure whatever, and at the same time voluntarily afford a place, or any

Penalty for selling contrary to this act.

other convenience or inducement by which the same may be used as a beverage, any vinous, spirituous, malt or brewed liquor, or any admixture thereof, he, she or they, and any one aiding, abetting or assisting therein, shall be deemed guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding fifty dollars, and undergo imprisonment not exceeding one month; and for a second or any subsequent offence shall pay a fine not exceeding one hundred dollars, and undergo imprisonment not exceeding three months.

Penalty for conspiring to evade the provisions of this act.

SECTION 3. That if any two or more persons conspire or act together, by which one may sell and the other provide a place or other convenience for drinking, with intent to evade the provisions of this act, each one so offending, upon conviction, shall be punished as provided in the second section of this act.

Selling or keeping for sale, in less measure than one quart, without a license, prohibited.

License, how obtained.

SECTION 4. That it shall be unlawful for any person to sell or keep for sale any vinous, spirituous, malt or brewed liquors, or any admixture thereof, in cases not hereinbefore prohibited, in a less quantity than one quart, nor without license granted by the court of quarter sessions of the proper county, on petition presented for that purpose, to be advertised according to the first section of the act of the twenty-ninth of March, one thousand eight hundred and forty-one, supplementary to the various acts relating to tavern licenses; but no such license shall be granted to other than citizens of the United States, of temperate habits and good repute for honesty: *Provided*, That no certificate shall be required or published as mentioned in the act herein referred to: *Provided*, That no license for the sale of liquors, as aforesaid, shall be granted to the keeper of any hotel, inn, tavern, restaurant, eating house, oyster house or cellar, theatre or other places of entertainment, amusement or refreshment: *Provided further*, That so much of any act or acts of assembly, as requires a license from a city or county treasurer to authorize the sale of spirituous, vinous or malt liquors, be and the same is hereby repealed.

Who may obtain license.

Who cannot obtain a license.

Repeal.

Time for hearing applications for license to be fixed

SECTION 5. That the said court, by their rules, shall fix a time at which applications for said licenses shall be heard, at which time all persons making objections shall be heard.

Bond to be given before obtaining license.

Price of license to be paid treasurer.

SECTION 6. That it shall not be lawful for the clerk of said court to issue any license, as aforesaid, until the applicant shall have filed the bond hereinafter required, and the certificate of the city receiver or county treasurer that the license fee has been paid to him.

Appraisers of licenses to be appointed who must be citizens of the United States and disinterested.

SECTION 7. That the appraisers of licenses under this act, shall be appointed as provided by existing laws, except in the city of Philadelphia, where, on the passage of this act, and thereafter at the beginning of every year, three reputable and temperate persons shall be appointed by the court of quarter sessions, to appraise dealers in spirituous, vinous, malt or brewed liquors aforesaid, and of distillers and brewers, and to do and perform all duties now enjoined by law, not inconsistent herewith; and said appraisers shall be citizens of the United States, in no manner connected with or interested in the liquor business, and shall be compensated as now provided by law.

License fee to be paid city or county treasurer, and must be three times the amount now paid

SECTION 8. That no license shall be granted without the payment to the receiver of taxes of the city of Philadelphia, or to the treasurers of the other counties of the state, for the use of the commonwealth, three times the amount now fixed by law to

be paid by venders of spirituous, vinous or malt liquors, or brewers and distillers: *Provided*, That no license shall be granted for a less sum than thirty dollars. Proviso.

SECTION 9. That the bond required to be taken of all persons who shall receive a license to sell spirituous, vinous, malt or brewed liquors, or any admixture thereof, shall be in one thousand dollars, conditioned for the faithful observance of all the laws of this commonwealth relating to the business of vending such liquors, with two sufficient sureties, and warrant of attorney to confess judgment; which bond shall be approved by one of the judges of the court of quarter sessions of the peace of the proper county, and to be filed in said court; and whenever a judgment for any forfeiture or fine shall have been recovered against the principal therein, it shall be lawful for the district attorney of the proper county to enter judgment against the obligors in the said bond, and proceed to collect the same of the said principal or sureties. Amount and condition of bond to be given by vendors of liquors, &c.
To be filed in the quarter sessions.
Recoveries on.

SECTION 10. That every person licensed to sell spirituous, vinous or malt liquors as aforesaid, shall frame his license under glass, and place the same so that it may at all times be conspicuous in his chief place of making sales, and no license shall authorize sales by any person who shall neglect this requirement, nor shall any license authorize the sale of any spirituous, vinous or malt liquors on Sunday. License must be framed and hung up.
Penalty for not complying.
Sale on Sunday prohibited.

SECTION 11. That any sale made of any spirituous, vinous or malt liquor contrary to this act, shall be taken to be a misdemeanor, and upon conviction of the offence, in the court of quarter sessions of the proper county, shall be punished in the manner prescribed by the second section of this act. Penalty for selling contrary to this act.

SECTION 12. That the provisions of this act as to appraisement and license, shall not extend to importers who shall vend or dispose of said liquors in the original cases or packages as imported, nor to duly commissioned auctioneers, selling at public vendue or outcry, nor to domestic producers, brewers or distillers selling in quantities not less than five gallons, nor shall anything herein contained prohibit the sale by druggists of any admixtures of intoxicating liquors as medicines. Who are exempted from appraisement and license.
Sales by druggists regulated.

SECTION 13. That it shall be the duty of every constable of every town, borough, township or ward within this commonwealth, at every term of the court of quarter sessions of each respective county, to make return on oath or affirmation whether within his knowledge there is any place within his bailiwick kept and maintained in violation of this act; and it shall be the especial duty of the judges of the said courts to see that this return is faithfully made; and if any person shall make known to such constable the name or names of any one who shall have violated this act, with the names of witness who can prove the fact, it shall be his duty to make return thereof, on oath or affirmation, to the court, and upon his wilful failure so to do, he shall be deemed guilty of a misdemeanor, and upon indictment and conviction, shall be sentenced to imprisonment in the jail of the county for a period not less than one nor more than three months, and pay a fine not exceeding fifty dollars. Duty of constables to make returns under oath.
Duty of the judges to see that constables comply.
Penalty on constable for neglecting his duty.

SECTION 14. That this act shall not interfere with any persons holding a license heretofore granted, until the time for which the same was granted shall have expired; nor shall any license which may be granted before the first day of July next, authorize This act not to interfere with existing licenses.

Other licenses
regulated.

the sale of said liquors or admixtures thereof, after the first day of October next, contrary to the provisions of this act.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 240.

AN ACT

Supplemental to an act to incorporate the Monongahela Bridge Company, at Monongahela city.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the proviso contained in the fifth section of an act of assembly, passed the sixteenth day of March, Anno Domini one thousand eight hundred and thirty-two, entitled "An Act to authorize the governor to incorporate a company to erect a bridge over the Monongahela river at Williamsport," exempting passengers attending divine service, and other persons therein mentioned from the payment of toll, shall not be so construed as to authorize the said company, or any of its agents, to ask, demand, take or receive toll from any person or persons going to or returning from divine service, for any horse, mare or gelding, nor for any carriage, buggy, sleigh, sled, or other vehicle used by any person or persons in going to and returning from divine service.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 241.

A N A C T

Authorizing the Sale of the Allegheny Bridge in Warren county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* it shall be lawful for the plaintiff in any judgment in the court of common pleas in the county of Warren, had against the Warren bridge company, to have a writ of *fieri facias*, or any other writ of execution, issued on the same, by which the sheriff of said county is hereby authorized to levy on the bridge structure, including all the wood work, iron, abutments and piers crossing the Allegheny river at the borough of Warren; and after such notice as is required in the sale of real estate, the same to sell as in case of the sale of real property; and the purchaser shall have a title for the same, as full and entire as purchasers of real property at judicial sales of defendants in execution. Bridge may be sold on execution.

SECTION 2. That whenever money is raised by subscription, by any corporation or association, sufficient to repair said bridge, or to put a new structure on the present abutments and pier, they shall be entitled to the bridge structure so sold as aforesaid, on paying or tendering to said purchaser the amount paid, with interest thereon, when said company or association shall be entitled to have possession of, and property in the same, so full and entire as it was vested in said purchaser: *Provided*, That in lieu of raising said money, said purchaser may subscribe to the amount of his bid in the said company or association. May be redeemed
Proviso.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 242.

AN ACT

For the purpose of enabling Benjamin Hill, of Westmoreland county, to adopt certain persons as his own children.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* it shall and may be lawful for Benjamin Hill, of Salem township, Westmoreland county, in said commonwealth, and he is hereby empowered and enabled, by his deed duly executed and acknowledged, after the manner of deeds for the conveyance of lands in this commonwealth, to adopt as his own children Martha Ferguson, Clarissa Jane Burrows and Mary Ellen Hill, of the same place, or any of them, and to confer and bestow upon them severally, or such of them as he may so adopt, all and singular the rights of inheritance under and through him, and under and through one another, as his heirs at law, the same as though they were his lawful children, and as such they would have had and enjoyed under the laws of this commonwealth.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 243.

AN ACT

To incorporate the Lampeter and Bridgeport Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Henry Miller, David Landis, Isaac Houser, Adam Lefever, William Deitrick, Michael Metzgar and B. A. Shaeffer, of Lancaster county, or any three of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of "The Lam-

Commissioners.

Style

peter and Bridgeport turnpike road company," to locate and construct a turnpike road from Lampeter Square, in West Lampeter township, Lancaster county, to Bridgeport, in East Lampeter township, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto, so far as they are not inconsistent with this and the following section. Route.
Subject to.

SECTION 2. That the capital stock of said company shall consist of three hundred shares, at fifty dollars per share: *Provided*, That the said company may, from time to time, at a meeting of the stockholders called for that purpose, increase their capital stock to such an amount as, in their opinion, may be required to complete the road according to the true intent and meaning of this act: *And provided also*, That the said company may, at their option, construct a plank road, or any part or parts of the same, in lieu of a turnpike, as a majority of the stockholders in amount may determine, at a meeting to be called for the purpose, due notice thereof to be first given: *And provided also*, That said company shall be required to commence the construction of their road within two years, and finish the same within five years. Capital stock.
Proviso.
Proviso.
Proviso.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 244.

AN ACT

Relating to Auctioneers in the city of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That from and after the passage of this act, there shall be but two auctioneers commissioned in and for, and to exercise the privileges and immunities, and receive the emoluments of said office, in and for the city of Erie at one and the same time. Number of auctioneers limited.

SECTION 2. That no person shall be commissioned as auctioneer in and for said city of Erie, unless he shall first have made and executed a bond to the commonwealth of Pennsylvania, with two good and sufficient sureties, in the penal sum of ten thousand dollars, conditioned for the faithful performance of his Bond to be given.

duties as such auctioneer, and compliance with the laws of the commonwealth relative thereto, which said bond shall be first approved by the court of common pleas of said county of Erie, and recorded in the office for recording deeds and mortgages in the county aforesaid; and any person or persons who shall suffer injury by reason of the misfeasance, malfeasance or nonfeasance of said auctioneer, may bring an action on said bond, (the record or exemplified copy of the record of which shall be evidence in all courts of justice in this commonwealth,) in the name of the commonwealth, for his, her or their use, in which, if plaintiff recover damages, judgment shall be entered for the full amount of the penalty of said bond, with authority by the court to plaintiff to issue execution thereon for the amount of damages he shall have recovered; and in case the said plaintiff shall recover no damages for the alleged breach, and judgment shall be entered for defendant, this shall not be a bar to another action on the same bond, upon another and different breach of its provisions, whether by the same or a different person; and upon a recovery, judgment shall be entered for the penalty of the bond, and a *scire facias* may issue thereon, as often as a breach shall occur, in the name of the injured party, and execution be issued for the amount of damages and costs.

Suits on bonds.

SECTION 3. That the said auctioneers, nor any one for them, shall import, or cause to be imported, from another state into the city of Erie, any goods, wares or merchandize of any description, either directly or indirectly, for the purpose of exposing them to sale within the said city, nor shall said auctioneers sell by themselves or agents, any goods so imported from another state or government into the city, for the purpose of being sold or exposed to sale at auction.

Restrictions on auctioneers.

SECTION 4. That any person who shall violate the provisions of the third section of this act, shall forfeit for the first offence the sum of twenty-five dollars, for the second offence fifty dollars, and for the third offence the sum of one hundred dollars, which said sum may be sued for and recovered *qui tam*, one-half to the person suing and the other half to the school fund of the city of Erie, which amount shall be paid to the treasurer of the board of school directors for the time being.

Penalty for violating third section.

SECTION 5. That the defendant in cases arising under the provisions of this act, shall be entitled to appeal from the judgment of an alderman or justice of the peace, by giving bail absolute, with one sufficient surety, in double the amount of the judgment and costs that may probably be recovered, and the plaintiff shall be allowed to appeal as in other cases.

Appeals.

SECTION 6. That it shall not be lawful for any person, except an auctioneer (if there shall be one duly commissioned at the time for the city of Erie,) commissioned in pursuance of this act, to sell or dispose of, by public vendue or outcry, within the limits of the city of Erie, any description of property whatever, horses, cattle, carriages, second-hand household and kitchen furniture, farming utensils and mechanics' tools, second-hand books, real estate, or the remains of the stock of deceased merchants, or of those who wish to close their business: *Provided*, That no person or persons shall, under pretence of declining business, dispose of his, her or their goods or merchandize at public auction in the city of Erie, unless such person shall have resided, and been a licensed retailer in the said city, for at least six months immediately preceding such sale; and that

Sales by auction regulated.

under such pretence of declining business, no person or persons as aforesaid, shall dispose of his, her or their stock of goods or merchandize, by public auction in the said city, more than once in any term of twelve successive months; and that every person or persons offending against this section shall, upon conviction, forfeit and pay the sum of fifty dollars for each and every day he, she or they shall offer such goods at auction, to be recovered *qui tam* in the manner pointed out in the fourth section of this act, and be disposed of as therein specified: *Provided further*, That the provisions of this act shall not prevent a sheriff, coroner, constable or other proper officer from disposing of any property upon which he may levy as heretofore.

SECTION 7. That the said auctioneer shall, on the first day of January of each year, make a report on oath to the auditor general, which shall show the amount of all sales for the year, and shall pay into the state treasury one per centum on all sales over ten thousand dollars in each year; and if the said auctioneer shall neglect or refuse to comply with the provisions of this section, for thirty days after the first day of January, the governor may declare his appointment as auctioneer vacated, and may supply his place by appointment.

Reports to auditor general.

SECTION 8. That so much of the provisions of any former act of assembly as is hereby altered, supplied or amended, is hereby repealed.

Repeal.

SECTION 9. That the provisions of this act shall extend to the county of Erie, as fully as they are applicable to the city of Erie, except so far as it relates to the appointment of auctioneers.

Act extended to county of Erie.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 245.

AN ACT

For the Relief of John Whiteman, for damages sustained his property by the construction of the Philadelphia and Columbia Railroad

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized and directed to pay to John Whiteman, of Lower Merion township, Montgomery county, his heirs, executors or assigns, the sum*

of fifty dollars, said sum to be in full of all claims for any injury done to his property in the construction of the Philadelphia and Columbia railroad: *Provided*, That the state treasurer shall be satisfied that said damages have never been paid.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 246.

AN ACT

For the preservation of Insectivorous Birds, and for the protection of Fruit and Fruit Trees in certain counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That no person shall wilfully kill or destroy any insectivorous bird in the counties of Chester, Butler, Montgomery, Bedford, Blair, Lancaster, Westmoreland, Northumberland, Tioga, Bucks and Delaware, except game, crows, blackbirds or birds of prey; nor enter upon any enclosed lands for the purpose of hunting, with dogs, guns or otherwise, without consent of the owner or occupier thereof, under a penalty of five dollars, with costs of suit, for each and every offence, to be sued for and recovered before any magistrate, one-half for the use of the commonwealth and one-half for the use of the common schools of the district.

Killing of insectivorous birds prohibited in certain counties.

Penalty for trespassing

Penalty for carrying away of fruit, &c.

SECTION 2. That the wrongful taking and carrying away of fruit, vegetables, plants, fruit or ornamental trees, vines or shrubs, in the counties aforesaid, whether attached to the soil or not, shall be deemed, and the same is hereby declared a misdemeanor, and punishable as such in any amount not exceeding double the value of the property so taken, nor less than one dollar, the penalty to be recovered, with costs of suit, and be disposed of as provided for in the preceding section.

Penalty for breaking down fences, &c.

SECTION 3. That any person or persons who shall wilfully or maliciously, in said counties, enter or break down, through or over any orchard, garden or yard, fence, hot-bed or green-house, or who shall wilfully and maliciously club, stone, cut, bark, break or otherwise mutilate or damage any fruit or ornamental tree, shrub, bush, plant or vine, trellis, arbor or hot-bed, hot or green-house, or who shall wilfully or maliciously trespass upon or walk over, beat down, trample or in any wise injure any grain, grass, vine, vegetables or other growing crop in the said

counties, shall and may, on conviction thereof, in action of trespass, before any burgess or justice of the peace, or in any court of law in said counties, have judgment against him, her or them for any amount not less than five dollars, nor more than double the amount of the damage proved to have been done, whenever such damage shall exceed the said sum of five dollars, with costs of suit, to be recovered and applied as in the previous sections of this act; and the testimony of the informer, or of the owner or occupier of the premises, shall in all cases be admitted as evidence to establish the misdemeanor or trespass.

SECTION 4. That in default of the payment of the fines and penalties imposed by this act, the acting magistrate may and shall commit the party convicted to the jail of the proper county, for not less than five nor more than twenty days. Offenders may be imprisoned.

SECTION 5. That this act shall take effect from and after the first day of August next. Act takes effect.

SECTION 6. That the provisions of this act, so far as they apply to insectivorous birds, game, crows, blackbirds or birds of prey, shall apply to and be extended to the county of Lycoming. Extended to Lycoming county.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 247.

AN ACT

To authorize the re-construction of a Bridge across the Clarion river, at the mouth of Mill creek.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Reed, Philip Smathers and William F. Packer be and they are hereby authorized and empowered to re-build a bridge across the Clarion river at the mouth of Mill creek, in the county of Clarion. Bridge may be built.

SECTION 2. That the aforesaid William Reed, Philip Smathers and William F. Packer, or either of them, or their successors in office, shall have full power to collect all moneys now subscribed, or which may hereafter be subscribed, for the re-construction of said bridge. Subscriptions.

SECTION 3. That the commissioners of Clarion county are hereby authorized to subscribe a sum not exceeding three hun- Commissioners of Clarion county may subscribe.

dred and fifty dollars, to be applied to the re-construction of said bridge ; said bridge to be completed on or before the first day of January, Anno Domini one thousand eight hundred and fifty-six.

Repeal.

SECTION 4. That the act approved the eighteenth day of March, Anno Domini one thousand eight hundred and forty-eight, and all other special acts relating to the said bridge, are hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-five.
JAS. POLLOCK.

No. 248.

AN ACT

Authorizing the laying out of a State Road from Meadville, in Crawford county, to New Wilmington, in Lawrence county.

Commissioners.

Route.

Duties.

Surveyor, &c.

Pay.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Henry B. Beatty, of Crawford county, James A. Leech, of Mercer county, and Thomas Pomeroy, of Lawrence county, be and they are hereby appointed commissioners to view and lay out a state road from the borough of Meadville, in Crawford, by way of New Lebanon, Brownsville and the borough of Mercer, in the county of Mercer, to New Wilmington, in Lawrence county.

SECTION 2. That it shall be the duty of the said commissioners, or a majority of them, after having been duly sworn or affirmed before a justice of the peace to perform all the duties in this act with impartiality, carefully to view the ground and lay out the said road, having respect to the best ground and shortest distance, so as best to promote the public good and do the least injury to private property.

SECTION 3. That it shall be the duty of the said commissioners to appoint some fit person to act as surveyor, at two dollars per day, two chain-carriers and one axeman, at one dollar and twenty-five cents per day ; and for fulfilling the duties enjoined by this act, the said commissioners shall be allowed the sum of one dollar and fifty cents per day, for every day they shall be necessarily employed in performing the duties assigned by this act ; but should either James A. Leech or Henry B. Beatty act as surveyor, in addition to his duties as commissioner, then he

shall be allowed the sum of fifty cents, in addition to his per diem allowance as commissioner.

SECTION 4. That the commissioners shall draw on the commissioners of the counties through which the said road shall pass, who shall adjust the accounts of the said commissioners, surveyor, chain-carriers and axe-man, and pay them, as other accounts by orders on the treasurer are paid. Expenses, how paid.

SECTION 5. That the said commissioners shall meet as soon as practicable, and complete the location of said road; and if any vacancy occur, by resignation or otherwise, it shall be filled by the other commissioners. Meeting of commissioners.

SECTION 6. That the said road shall be laid out not to exceed at any point four degrees from a horizontal line, except crossing ravines and streams, when by moderate excavation, filling or bridging, the declination may be preserved within that limit. Grade of road.

SECTION 7. That said commissioners shall plainly and distinctly mark the location of said road; and they shall have authority by this act to vacate so much of any road or roads as may be supplied by the new road, and to lay out the said road, or any part thereof, on the bed of any road or part of a road heretofore laid out by authority of law; and in case access to any branch or lateral road may be obstructed, by vacating any part of roads supplied by the new road, it shall be the duty of the commissioners to connect all such lateral or cross roads with the main line of road. Route to be marked.

SECTION 8. That it shall be the duty of the surveyor to make a fair and accurate draft of the location of said road, noting thereon the courses and distances, with a reference to the improvements, one copy of which shall be deposited in the office of the secretary of the commonwealth, on or before the first day of December next, and one copy in the office of the clerk of the court of quarter sessions of each of the said counties, on or before said day; and from thenceforth the road shall be, to all intents and purposes, a public highway, and shall be opened to the width of fifty feet, and repaired in all respects as other roads are opened and repaired; and it shall be the duty of the supervisors and road-masters of the several townships through which the said road may pass, to apply at least one-third the tax assessed for road purposes, on property lying within one mile of said road, each year, until it is made good: *Provided*, That the aforesaid road shall not be opened, nor the road tax be applied thereon, until the location of said road shall be approved by the court of quarter sessions of Crawford county. Drafts to be made

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 249.

A N A C T

Relating to the Old Goshenhoppen School District, in Montgomery county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act of April thirteen, one thousand eight hundred and fifty, erecting the Old Goshenhoppen school district, in Montgomery county, be and the same is hereby declared in full force, as if the same had never been repealed.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 250.

A S U P P L E M E N T

To an act, entitled "An Act relating to the Lien of Mechanics and others upon Buildings," passed the sixteenth day of June, Anno Domini one thousand eight hundred and thirty six

Lien law extended.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the several provisions of the act to which this is a supplement, be and the same are hereby extended to plumbing, gas-fitting and furnishing, and erection of grates and furnaces.*

What a lien will cover.

SECTION 2. That whenever the items of a mechanic or material-man's bill, for work done or materials furnished continuously towards the erection of any new building, are in any part *bona fide* within six months before the filing of the claim therefor, the lien shall be valid for the whole; and any lien heretofore filed within six months after furnishing the last item of a continuous bill, shall be good and valid, the same as if the whole bill were furnished within six months.

SECTION 3. That every claimant having a claim filed for work or materials, or both, who shall afterwards proceed to perform further work, or furnish other materials, or both, may make suggestions thereof on the same record, and filing a statement of the amount and particulars thereof, which may be recovered with the original claim under the writ, but if the original claim shall have been sued out, then a separate *scire facias* may be issued for the supplemental claim.

Supplemental
claims may be
filed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 251.

A SUPPLEMENT

To the act relating to the termination of the North Branch Extension of the Pennsylvania Canal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, 'That in any contract entered into between the governor and canal commissioners, and the Junction canal company, under the third section of the act to which this is a supplement, approved twenty-third February, Anno Domini one thousand eight hundred and fifty-three, the provision may be inserted that the supply of water for the North Branch canal, by said company, shall be only to the extent of the capacity of the Chemung river, and not otherwise.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 252.

AN ACT

To consolidate and amend the Road Laws of the counties of Tioga, Potter, M'Kean and Elk.

Subject to general road laws.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the counties of Tioga, Potter, M'Kean and Elk shall hereafter be subject to the general road laws of this commonwealth, except so far as they are altered and supplied by the provisions of this act.

Election of supervisors.

SECTION 2. That the qualified electors of said counties shall hereafter, at their township elections, elect two supervisors in each township, who shall also be overseers of the poor for their respective townships.

Road tax.

SECTION 3. That the supervisors in said counties shall levy a road tax or taxes, not exceeding in amount, in any one year, ten mills on the dollar, on the last adjusted assessment and valuation of persons and property made taxable for county purposes, in each township, and shall cause the same to be worked out upon the roads, before the first day of August in each year, if practicable; and all such taxes remaining unpaid at that date, shall be collected in money, and paid to the township treasurer, on or before the first day of January in each year following.

How additional tax may be levied and collected.

SECTION 4. That the court of common pleas of the said several counties may, upon application of any creditor of a township, and upon notice to the supervisors thereof, direct the supervisors to levy an additional tax, or to increase the regular assessment, and to cause the same to be collected in money, to pay debts of said township, which additional tax or increase of tax shall not, in any case, exceed, in any one year, ten mills on the dollar of such adjusted assessment or valuation; the taxes authorized by this section, and the arrearages of the regular assessments not worked out, as provided by the third section of this act, and made payable in money, except the taxes on unseated lands shall be collected by the constables of the respective townships, upon warrants and duplicates issued by the supervisors; and the said constables shall have all the power and authority for the collection of the same, which are vested in collectors of county rates and levies by existing laws; and shall be liable upon their bonds for the faithful discharge of their duties, and for the payment to the township treasurer, within thirty days after the receipt of said warrant, of the whole amount thereof, except such sums as may be abated by the said supervisors, or returned to the county commissioners.

Return of assessments not collected.

SECTION 5. That the constables of said townships are required to make out and return to the county commissioners transcripts from their duplicates, as aforesaid, of all assessments upon seated property which are not collectable, in pursuance of the powers vested in them by the preceding section, and the same shall be collected by the county treasurer, as provided by existing laws for the collection of county taxes.

SECTION 6. That it shall be the duty of the supervisors, on or before the first day of June of each year, to file their duplicate for so much of the tax assessed upon unseated lands, in pursuance of the foregoing sections of this act, as shall at that time remain due and unpaid, in the office of the county commissioners for collection; when the said duplicate shall have been filed as aforesaid, the county commissioners are hereby authorized and required to draw their orders on the county treasurer, in favor of the supervisors of the proper township, in such sums as may be desired by them, to the amount of such duplicate, deducting therefrom such amount as will, in the judgment of the county commissioners, be sufficient to pay the commission of the county treasurer, and cover such exonerations and abatements as will be likely to be made, and shall deliver the same to the township treasurer; the said duplicate, when so filed, shall be collected by the county treasurer, as is provided by law for the collection of other taxes on unseated lands, and the tax so collected shall be paid out on the said orders drawn by the county commissioners.

Duplicates of tax assessed on unseated land to be filed.

County commissioners to pay.

SECTION 7. That the additional or increased tax, when collected, shall be applied by the township treasurer, first, to the payment of the claim or claims of the person or persons upon whose application it was ordered, and next to the payments of judgments against the township, in the order of their priority, and the residue upon orders drawn by the supervisors, in the order of their presentment to the treasurer: *Provided*, That before the tax is collected and paid to the treasurer, written notice of the preferred claims, stating the amount and character thereof, shall be given to said treasurer; and the said court shall have power to enforce the provisions of the fourth section of this act, and of this section, by attachment against the supervisors and treasurer, as the case may require.

Tax, how to be expended.

Proviso.

SECTION 8. That the number of road and bridge viewers appointed by the court of quarter sessions of said counties shall be three, one of whom shall be a surveyor; if deemed necessary, every view, re-view and re-re-view shall be made by the whole number of persons so appointed, a majority of whom shall concur in their report; these provisions shall include viewers to inspect bridges, under the thirty-ninth section of the general road law of one thousand eight hundred and thirty-six.

Number of road and bridge viewers.

SECTION 9. That all viewers appointed under the preceding section, except viewers under the thirty-ninth section of the act of one thousand eight hundred and thirty-six, shall, before proceeding to view, give five days' notice, by three or more advertisements put up in the most public places in the vicinity of the road or bridge proposed to be viewed, of the time and place of meeting of such viewers.

Viewers to give notice of time and place of meeting.

SECTION 10. That it shall be the duty of said viewers, whenever they report a road, bridge or alteration in a road, to endeavor to procure from the persons whose lands may be affected by such report, releases of damages occasioned thereby, which shall be in writing, with or without seal; and if said viewers shall in any case fail to procure such releases, they shall assess the damages and make report thereof, and return the same, together with all releases obtained, to the proper court.

Viewers to procure releases for damages.

SECTION 11. If the court shall be satisfied that the public interest will be sufficiently subserved by the opening of the road, to authorize the payment by the county of the damages assessed,

Confirmation of report.

Payment of damages.

and that the report and proceedings are in conformity to law, they shall confirm such report and assessment of damages unconditionally; otherwise said court may annex, as a condition of the confirmation, that the damages assessed shall be paid by the petitioners, or other persons interested, and in such case no order shall issue to open the road, until the damages are paid into court, or the receipt of the persons to whom they are payable are on file; in all cases which the county shall be required to pay the damages assessed, payment shall not be made by the commissioners until the road is opened for public use, and made passable for teams; it then shall be the duty of the supervisors of the township where such road has been laid out, and assessments made, to make affidavit that such road is open to the public, and file said affidavit with the commissioners of the county, when it shall be the duty of the commissioners to pay such assessment to the person to whom it has been awarded.

Repeal

When this act takes effect.

SECTION 12. That so much of the general road laws of this commonwealth, and of all other laws as are altered and supplied by this act, so far as they relate to the said counties, are hereby repealed; this act shall go into operation from and after the first election of supervisors shall be had, in pursuance of the provisions thereof.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 253.

A N A C T

Authorizing the Temperanceville and Noblestown Plank Road Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Temperanceville and Noblestown turnpike or plank road company be and the same are hereby authorized to borrow money, not exceeding in amount twenty thousand dollars, for the payment of the existing debts of the company, and repairing their road; and to issue their bonds therefor, convertible into the capital stock of the company, at the will of the holder or holders, bearing interest at a rate not exceeding seven per centum per annum, and to secure the payment of the principal and interest of the money so borrowed by a mortgage or mortgages on*

the property of the company: *Provided*, That no bond shall be issued for an amount less than one hundred dollars.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 254.

SUPPLEMENT

To an act, entitled "An Act to provide for the erection of a House for the Employment and Support of the Poor in the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That it shall be the duty of the directors of the poor and of the house of employment of the county of Allegheny, to receive and take charge of any and all persons who have been properly certified to them by any two justices of the peace of said county, as fit subjects for the benefits of the institution under their government, under the provisions of the act to which this is a supplement; and for every refusal so to act, on the part of themselves, or their steward or superintendent in their behalf, they and each of them shall be subject to an indictment for misdemeanor, and on conviction thereof, shall pay a fine to the commonwealth, not exceeding one hundred dollars, to be collected as like penalties are by law recovered. Duty of directors to receive poor.

SECTION 2. That in case of inability on the part of the constable to remove any such person or persons, on account of extreme illness, as certified by a physician, the said board of directors of the poor shall be liable for the expenses of said patient or patients, to be recovered as debts of like amount are now by law recoverable. Expenses of sick poor to be paid.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 255.

A SUPPLEMENT

To the act, entitled "An Act directing the Judges of the Court of Common Pleas in Philadelphia county, to appoint an Examiner in the case of Elizabeth Cameron, a lunatic," approved March seventh, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the word "county," in the ninth line of said act, be amended so as to read "city;" that the words, "instituted by the county," in the twelfth and thirteenth lines, be so amended as to be followed by the words, "or guardians of the poor."*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 256.

A SUPPLEMENT

To an act graduating the Duties upon Wholesale Dealers and Retailers of Merchandize, and prescribing the mode of issuing Licenses and collecting said duties. approved the seventh day of April, one thousand eight hundred and thirty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be the duty of the appraisers of mercantile taxes in the city and county of Philadelphia, to give notice to the wholesale and retail dealers of merchandize, requiring them to take out their licenses from the city or county treasurer, on or before the twenty-fifth day of June, in each and every year, any law to the contrary notwithstanding.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 257.

A SUPPLEMENT

To an act to incorporate the Philadelphia and West Chester Turnpike Road Company, approved the twenty-fifth day of March, one thousand eight hundred and forty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter no wagon, cart or other conveyance shall carry over the Philadelphia and West Chester turnpike road a greater weight than sixteen hundred pounds to each wheel of less than four inches in width of tire, nor more than two thousand pounds to each wheel of the width of tire of four inches and upwards, said weight in each case to be exclusive of the wagon, cart or conveyance.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 258.

AN ACT

Relative to the maintenance of the House of Refuge.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the select and common councils of the city of Philadelphia be and they are hereby authorized annually to appropriate towards the support and maintenance of the house of refuge, such sum as they may deem expedient, not exceeding thirty thousand dollars in any one fiscal year, payable in equal payments, on the first Monday of February, May, August and November, in each and every year; the first payment thereof to be made on

the first Monday of May, Anno Domini one thousand eight hundred and fifty-five.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 259.

A SUPPLEMENT

To an act approved the eighth day of May, one thousand eight hundred and fifty-four, entitled "An Act to incorporate Greenwood Colony."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for the stockholders of Greenwood colony to hold the first election for officers of said company, so soon as fifty shares of stock are subscribed for, and two dollars and fifty cents on each share paid in; and that in all elections held by said company, each stockholder shall be entitled to one vote for each share of stock held by him or her.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 260.

A N A C T

For the Relief of Elizabeth Pell, the widow of an old soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the state treasurer be and he is hereby authorized and required to pay to Elizabeth Pell, of Luzerne county, widow of Josiah Pell, a soldier of the Revolutionary war, or her order, an annuity of forty dollars during life, to be paid half-yearly, commencing on the first day of December, one thousand eight hundred and fifty-two: *Provided, That* any amount heretofore paid the said Elizabeth Pell, by the treasurer of Luzerne county, shall be allowed to said treasurer in settling his accounts, and deducted from the amount payable to the said Elizabeth Pell under this act.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 261.

A N A C T

To repeal part of an act to incorporate the borough of Mifflinburg, in Union county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the following clause in the sixth section of the act passed the fourteenth day of April, Anno Domini one thousand eight hundred and twenty-seven, entitled "An Act to incorporate the borough of Mifflinburg," et cetera, to wit: Authorizing the councils of the said borough to pass ordinances for laying out and regulating streets, alleys and highways; and also the following clause in the twelfth section of the same act, in the following words, to wit: That nothing contained in the general road laws

shall be deemed to extend to the said borough, be and the same are hereby repealed; and it is also hereby enacted that henceforth the general road laws of this commonwealth be extended to the said borough of Mifflinburg, in the county of Union, as fully as if the said borough had been incorporated under the general law authorizing the court to incorporate boroughs.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 262.

A N A C T

To incorporate the Tammenend turnpike company.

Commissioners.

Style.

Route.

Subject to.

Capital stock.

Proviso

Commencement
and completion.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Richard Carter, Stephen Jones, John Scheiveley, Lewis Davenport, A. Pardee, Robert Ratcliff, Cornelius Stevenson, William Milnes and Rowland Jones, be and they are hereby appointed commissioners to open books and receive subscriptions and organize a company by the name, style and title of the Tammenend turnpike company, with power to construct a turnpike road from such point on the Wilkesbarre and Hazleton turnpike in Rush township, Schuylkill county, as may be most convenient, to a point on the Catawissa, Williamsport and Erie railroad in said county, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, Anno Domini, one thousand eight hundred and forty-nine, and the supplements thereto, as far as the same are not inconsistent with this act.

SECTION 2. That the capital stock of said company shall consist of one hundred shares at twenty-five dollars per share: *Provided,* That said company may from time to time, by a vote of the stockholders at a meeting called for that purpose, increase their capital stock so much as in their opinion may be necessary to complete the road or roads, and to carry out the true intent and meaning of this act.

SECTION 3. That if the said company shall not commence the construction of their road within three years after the passage of this act, and complete the same within five years after the same shall have been commenced, this act shall be null and void,

except so far as the same may be necessary to enable it to settle its affairs and pay the debts of the said company.

SECTION 4. That whenever said company shall have completed one mile of said road, they shall have power to erect toll-gates and receive the same tolls per mile that are allowed by the ninth section of an act approved the eighth day of April, Anno Domini, one thousand eight hundred and fifty one, entitled "An Act regulating and fixing the rate of toll to be charged by the Larry Creek plank road company." Tolls.

SECTION 5. That it shall be lawful for the board of managers of said company to fill all vacancies occurring in said board by death, resignation, or otherwise, until the next succeeding election. Vacancies, how filled.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 263.

AN ACT

For the Relief of Isabella Innis, widow of an old soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized and directed to pay to Isabella Innis, of Juniata county, widow of James Innis, a soldier of the Revolutionary war, a gratuity of forty dollars, and an annuity of forty dollars during the term of her natural life, commencing on the first day of January, one thousand eight hundred and fifty-five, and payable half-yearly, thereafter on the first of January and July.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 264.

AN ACT

Declaring Potato creek, in the county of M'Kean, a public highway.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Potato creek, in the county of M'Kean, is hereby declared a public highway from the mouth thereof to the point where the same crosses the road leading from Smethport to Shippen.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 265.

A SUPPLEMENT

To an act, entitled "An Act authorizing the Governor to incorporate the Bridgetown and Newtown Turnpike or Plank Road Company," approved the fifteenth day of April, Anno Domini one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Bridgetown and Newtown turnpike or plank road company are hereby authorized to charge the same rate of tolls as are allowed to be charged by the act incorporating the Bustleton and Somerton turnpike road company.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 266.

AN ACT

Authorizing the Auditor General and State Treasurer to examine the claim of Henry Wagner, for damages by the laying of gas pipes through his land, to the State Lunatic Asylum.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the auditor general and state treasurer are hereby authorized and required to examine the claim of Henry Wagner, of Dauphin county, for damages alleged to have been sustained by the laying of gas pipes through his land to the State Lunatic asylum, and if they shall find that the said Henry Wagner has sustained damage from the aforesaid cause, they shall report the same, together with the amount, to the next legislature.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 267.

AN ACT

To provide for an Equitable Division of a certain amount paid annually by the Delaware Coal Company towards the support of two Schools, according to the provisions of the resolution of the fifth day of April, one thousand eight hundred and forty-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Daniel R. Bennett, of the said township of Cass, Edward O'Conner, of the township of Norwegian, and Samuel Lewis, of the borough of Pottsville, in the county of Schuylkill, be and they are hereby appointed commissioners to ascertain the amount and value of all the lands of said coal company lying and being in both the said townships; it shall also be their duty to determine the annual value of the school houses to the said township of Norwegian; and thereupon they, or any two of them shall, on or before the first day of June next, fix upon what amount of the

Commissioners.
Their duties.

sum of six hundred dollars should be paid to the school directors of the said township of Cass, and how much thereof should be paid to the directors of the said township of Norwegian; and the said sum of six hundred dollars shall, after the passage of this act, be annually paid accordingly.

Manner of determining how division shall be made.

SECTION 2. That the respective amounts to be paid to the said townships, as aforesaid, shall be determined by the said commissioners, or any two of them, in the following manner: The said sum of six hundred dollars, and the annual value of the said school houses, which may be fixed upon by the said commissioners as aforesaid, shall be considered as the amount of the fund to be divided; and whatever proportion the value of said lands lying in said township of Cass, bears to the value of the whole of the lands of said company in both said townships, that proportionate part of said fund shall hereafter be paid out of said sum of six hundred dollars annually by said company, to the school directors of said township of Cass, and the balance thereof shall be paid by said company to the said school directors of the township of Norwegian.

Report

SECTION 3. That the said commissioners, or any two of them, shall, on or before the fifth day of June next, report the determination of their duties as aforesaid to the school directors of both said townships and to the said company, or to any or either of its members or agents, stating therein the amount of said sum of six hundred dollars hereafter to be paid annually by said company to the respective school directors of said townships; and for fulfilling the duties enjoined by this act, the said commissioners shall be allowed the sum of two dollars for every day they shall be necessarily employed in performing the duties assigned by this act, and each of said townships shall be liable for the one-half part of said compensation.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 268.

A. FURTHER SUPPLEMENT

To the act incorporating the Lehigh Valley Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Lehigh Valley railroad company be and they hereby are authorized to occupy a strip, not more than twelve feet in width, on the north side of Canal street, in the borough of South Easton, for their railroad track, from the first angle east of Fell street, to a point opposite the west side of Delaware street: *Provided,* That the said the Lehigh Valley railroad company shall, in all respects, fully comply with the provisions of a certain agreement made between the said company and the borough of South Easton, dated the fourth day of April, Anno Domini one thousand eight hundred and fifty-five: *And provided further,* That upon the neglect or refusal of the said company so to do, that the court of common pleas of Northampton county shall have full power to restrain the said company from occupying the said street, until they shall fully comply with the said agreement.

Authorized to occupy certain ground in South Easton.

Proviso.

Proviso.

SECTION 2. That whenever in other places they have found it necessary to build their railroad along a public street or road, they shall construct another road in lieu thereof, for the use of the public, in as good and permanent a manner, and of fully equal width, and as available for teaming and travel as the one they have so occupied, as far as the nature of the ground will permit: *Provided,* That this act shall, in no wise, be construed to affect any indictment or other legal proceeding or proceedings heretofore instituted against the said the Lehigh Valley railroad, or the contractor or contractors heretofore or now in their employ, nor in any wise affect any sentence or sentences heretofore passed upon any conviction or convictions had upon any such indictment or indictments.

To make new streets in certain cases.

Proviso.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 269.

A FURTHER SUPPLEMENT

To an act erecting the county of Elk.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the second and third sections of an act, entitled "A supplement to the act erecting parts of Jefferson, Clearfield and M'Kean counties into a separate county to be called Elk," approved the twenty-seventh day of April, one thousand eight hundred and forty-four, be and the same are hereby repealed.

SECTION 2. That whenever any judgment or mortgage referred to in the sections repealed by this act, shall be revived, to continue its lien on real estate in Elk county, such judgment or mortgage to continue such lien shall be transferred to and be entered on the records of the county of Elk.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HESTER,

Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 270.

AN ACT

Relative to Aldermen in certain Wards of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the twenty-fourth section of the act, entitled "A further supplement to an act, entitled 'An Act to incorporate the city of Philadelphia,' passed February second, one thousand eight hundred and fifty-four," as declares that there shall be but two aldermen in each of the wards of the city of Philadelphia, is hereby repealed, so far as the same relates to the Twenty-first, Twenty-second, Twenty-third and Twenty-fourth wards of said city.

Repeal of part of
act fixing the
number of alder-
men in certain
wards.

SECTION 2. That if in any ward the term of any alderman or justice of the peace shall expire between any two municipal elections, and there shall not be more than one alderman or justice of the peace holding over, it shall and may be lawful for the qualified voters of said ward, at the constables' election next preceding the expiration of such term, to elect one qualified person to act as alderman, although the term of the one whose place he is to fill shall not have expired: *Provided*, That this section shall only apply in such cases where the term so to be filled shall expire within seven months next after the election, when such successor may be elected.

Election of aldermen in certain cases.

Proviso.

SECTION 3. That it was the true intent and meaning of the legislature in and by the twenty-fourth section of the act consolidating the several districts of the county of Philadelphia, and such is hereby declared to be the construction thereof, that the aldermen in commission at the time of the passage of said act, should be aldermen of and for the wards established therein, and should reside and hold their said office in such wards for the unexpired term of their commissions.

Twenty-fourth section of consolidation act explained.

SECTION 4. That it shall and may be lawful for any alderman authorized to collect taxes, to appoint a clerk to attend in his office to collect taxes on election days, or when from sickness or other cause, such alderman cannot attend; the alderman and his sureties to be answerable for all taxes collected by such clerk, and the alderman so appointing a clerk, shall not be liable for any penalty for not attending in his office on election days to receive taxes.

Aldermen authorized to collect taxes may appoint clerks in certain cases.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 271.

A FURTHER SUPPLEMENT

To an act, entitled "An Act to incorporate the Lorberry Creek Railroad Company," approved the thirtieth day of March, Anno Domini one thousand eight hundred and thirty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That for the purpose of improving and extending their railroad, the Lorberry Creek railroad company are hereby authorized to increase the number of shares, so that the capital stock of said

Authorized to increase capital stock.

May borrow
money and exe-
cute mortgage for
its security

Proviso.

May re-locate
and extend road.

May accept and
become subject to
the general rail-
road law.

Repeal.

company may amount to any sum not exceeding five hundred thousand dollars; and are further empowered to borrow any sum of money, not exceeding three hundred thousand dollars, and to secure the payment of the same, shall make and execute a mortgage or mortgages of the property and corporate franchises of said company, or give such other evidences of indebtedness as may be agreed upon; and the said company shall provide for the payment of the interest on any such loan made under this section out of the earnings of said road, before any dividends shall be paid to the stockholders: *Provided*, That no bond or other evidence of indebtedness, shall be issued by said company for a less sum than one hundred dollars.

SECTION 2. That the said Lorberry Creek railroad company shall have the right, and they are hereby authorized to re-locate and re-construct their railroad, or such part thereof as the president and directors may deem desirable, and extend the same so as to connect with any existing railroads in the county of Schuylkill; and also to construct branch railroads, not exceeding six miles in length, from any part of their said railroad, up the valleys of Rausch creek, Lorberry creek and Fishing creek, in the county of Schuylkill.

SECTION 3. That the stockholders of said Lorberry Creek railroad company are hereby authorized, at a special meeting of stockholders to be called for that purpose, to accept the provisions of the act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine, and if it shall appear, by a vote then to be taken, that the holders of a majority of the stock there represented are in favor of accepting the provisions of the act aforesaid, then and in that case the said Lorberry Creek railroad company shall thereafter enjoy all the rights, privileges, franchises and immunities, and be subject to all the restrictions and liabilities granted or imposed in the said act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine.

SECTION 4. That so much of the act to which this is a farther supplement, and of the several supplements thereto, as is inconsistent with the provisions of this act, or is hereby altered or supplied, so far as the same relates to the said Lorberry Creek railroad company, be and the same is hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 272.

A N A C T

To authorize the appointment of a Notary Public in Waterford, Erie county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the governor be and he is hereby authorized to appoint a notary public for this commonwealth, to reside in the borough of Waterford, in the county of Erie, who shall have all the powers pertaining to the office of notary public.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 273.

A N A C T

To authorize the taking of a Census of the city of Philadelphia, in one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the assessors of the city of Philadelphia who are to be elected in the month of May, of the present year, be and they are hereby authorized and required to take a census of the people, their property and business in their respective wards, in such manner, form and extent as shall be provided and set forth by ordinances of the select and common councils of said city, who are hereby empowered to take a general census thereof: *Provided,* That the same be done within the year one thousand eight hundred and fifty-five.

Taking of a census authorized.

Proviso.

SECTION 2. That in addition to the annual sum already allowed by law, the said city shall pay to each and every assessor thereof

Pay of assessors under this act.

for the present year, one hundred and fifty dollars, for the faithful performance of the duties herein specified.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 274.

A FURTHER SUPPLEMENT

To an act Regulating Banks, approved the sixteenth day of April, one thousand eight hundred and fifty.

Tenth section of
general banking
law construed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the fifth article of the tenth section of the act to which this a supplement, as prohibits cashiers from engaging in any other profession, occupation or calling, directly or indirectly, shall not be so construed as to require the cashier of any bank to relinquish the office in consequence of coming into possession of property, by gift or inheritance, invested in mercantile, mechanical or manufacturing operations.

Justices of the
peace may be
bank directors.

SECTION 2. That so much of any law as prohibits judicial officers from being bank directors, shall not be held to apply to justices of the peace.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 275.

AN ACT

Relative to one square of Washington street, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Washington street, in the Nineteenth ward of the city of Philadelphia, is hereby widened fifty feet on either side thereof, from Cherry street to Chatham street; and the North Pennsylvania railroad company are hereby authorized and empowered to construct a depot, with suitable appurtenances, for the business and equipments of their railroad, in the centre of said Washington street, between Cherry and Chatham streets aforesaid, of such dimensions, not exceeding in width one hundred feet, as may be deemed expedient by said company; said depot to be so erected, however, as to leave open for public use, on either side thereof, a street sixty feet wide: *Provided,* That any damages accruing by the widening of said street, shall be assessed as now provided by law, and paid by the said North Pennsylvania railroad company.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK. '

No. 276.

AN ACT

Relative to the Overseers of the Poor of the borough of Meadville, in Crawford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all the acts and doings of the persons who have acted as overseers of the poor of the North ward, and of the persons who have acted as the overseers of the poor of the South ward, in the borough of Meadville, prior to the sixteenth day of March,

Anno Domini one thousand eight hundred and fifty-five, be and the same are confirmed and made valid to all intents and purposes, as fully and as effectually as if they had been legally elected or appointed, and the said wards had been duly authorized to have separate overseers of the poor ; and the said persons are hereby authorized, by the name of the overseers of the poor of the borough of Meadville, to settle and adjust their accounts, and do all other acts and things which overseers of the poor are legally authorized to do and perform, and they shall be deemed and taken to have been the lawful overseers of the poor of said borough, in all legal proceedings heretofore determined or now pending, or which may hereafter be instituted, before any justice or justices of the peace, or any court of this commonwealth ; and all outstanding taxes heretofore assessed in said borough, by such persons who have acted as overseers of the poor, may be collected as though the same had been legally assessed for the support and maintenance of the poor of said borough.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 277.

AN ACT

In relation to the Papers, et cetera, remaining in the several Courts of Venango county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the court of common pleas of Venango county is hereby authorized to appoint some proper person to arrange and place in order the papers and records in the several courts, and in the office of the register of wills of said county, and may allow the person so appointed a reasonable sum for his services, to be paid out of the county treasury : Provided, That during the time of the arrangement of such papers and records, the prothonotary and clerk of said courts, and said register of wills, shall not thereby be interfered with in the regular discharge of their duties, and*

that such arrangements be made under their supervision and with their assent.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED —The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 278.

AN ACT

To establish a Public Ferry across the Delaware river, at or near Aten's ferry, in Northampton county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Derrick Aten, his heirs and assigns, shall have the right and privilege, at their own expense, to make good and convenient landings on the east and west side of the Delaware river, at or near Aten's ferry, in the county of Northampton, and county of Warren, in New Jersey, and to use the said river between the said landings, as a public ferry. Ferry authorized.

SECTION 2. That the said Derrick Aten, and his heirs and assigns, shall keep the said landings and ferry in good condition and repair, fit for the transportation and passage of persons and property, horses and other animals, carriages, et cetera, and shall keep good and substantial boats and other necessary crafts, and competent and careful ferrymen, who shall constantly, as occasion may require, attend for the purpose of transporting persons and property as aforesaid over the said river, with all reasonable diligence and attention. Ferry to be kept in good condition.

SECTION 3. That the said Derrick Aten, his heirs and assigns, as a remuneration for keeping up and in good repair, the said landings and ferry as aforesaid, shall receive such tolls for transporting persons and property as before mentioned, as may be prescribed by the court of quarter sessions of Northampton county, or as are received by other ferries of like import, crossing said river, and shall be allowed the privilege to extend a rope or wire across the river, if they deem it advisable to facilitate crossing: *Provided*, That the rope or wire shall not be so extended as to interfere with, or obstruct the ascending or descending navigation of said river; and that nothing in this act contained shall be so construed as to permit the said Derrick Aten, his heirs and assigns, to receive or discharge persons or property as aforesaid, on lands belonging to Tolls to be fixed by the court of quarter sessions of Northampton county.

Proviso.

any other person or persons, without the consent of the owner or owners thereof.

SECTION 4. That if any person or persons shall wilfully pull down, cut or break, or in any way injure or destroy, any rope, wire, or boats, or other property, or shall take from its moorings any boat or craft belonging to said ferry, he, she, or they so offending, shall each of them forfeit and pay to the said Derrick Aten, his heirs and assigns, the sum of twenty dollars, in addition to all damages sustained by the said Derrick Aten, his heirs and assigns, to be recovered as debts of like amount are by law recoverable.

SECTION 5. That all other persons are hereby prohibited from using the said river for the purpose of a ferry three hundred yards above and three hundred yards below the said ferry; and any person or persons violating the provisions of this act, shall forfeit and pay to the said Derrick Aten, his heirs and assigns, the sum of fifty cents for every traveler, team, head of cattle, horse or carriage, carried over the said river, within the said above named bounds: *Provided*, That nothing in this act contained, shall be construed to prevent persons owning the shore within the said limits, from transporting persons and property free of charge: *And provided further*, That all persons going to and from divine service on foot, shall be ferried free of charge, according to the ancient custom of the said ferry.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini, one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 279.

A SUPPLEMENT

To an act to incorporate the Chartiers Valley Railroad Company, passed February seven, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the Charties Valley railroad company be and they are hereby authorized to borrow money to an amount not exceeding the capital stock of said company paid in, and to issue their bonds therefor, of a denomination not less than one hundred dollars each, bearing any rate of interest not exceeding seven per centum per annum, and to secure the payment of the principal and

interest of said bonds, if they shall deem it expedient, by a mortgage or mortgages upon the road, property and franchises of said company: *Provided*, That said loan shall not be subject to taxation until the clear profits of said company shall amount to six per centum per annum.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 280.

A N A C T

Repealing the supplement to an act passed March thirteenth, one thousand eight hundred and fifteen, authorizing sales of unseated lands, passed the nineteenth day of April, one thousand eight hundred and fifty-four, extending to Sullivan county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* 'That an act, entitled "A further supplement to an act, entitled 'An Act to amend the act directing the mode of selling unseated lands for taxes,' passed the thirteenth day of March, one thousand eight hundred and fifteen, passed the nineteenth day of April, one thousand eight hundred and fifty-four, extending to the county of Sullivan, be and the same is hereby repealed: *Provided*, That this act shall not interfere with or affect sales of lands which shall be made within the present year; and that the owner or owners of lands which may be sold in pursuance of the act hereby repealed, shall have three years within which to redeem the same from the time of such sale.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 281.

A SUPPLEMENT

To the act Consolidating the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and council of the borough of Bristol shall appoint one assistant warden of the port of Philadelphia, to serve as a port-warden, for the time and with the authority of those appointed by the city councils.

Burgess and council of Bristol to appoint one assistant port warden.

SECTION 2. That it shall be the duty of the select and common councils of said city to designate the place of holding the elections in the several election divisions of the wards in said city, and to notify the sheriff thereof at least thirty days prior to the second Tuesday of October next ; and shall have full power and authority to remove or change the place of holding the elections in any of the said election divisions, whenever by reason of inability to hold said election at the place so designated, a change shall become necessary.

Councils to fix places of holding elections.

Notify sheriff thereof.

SECTION 3. That so much of the twenty-seventh section of the act of assembly, approved February two, one thousand eight hundred and fifty-four, as declares that the surveyors shall continue in office during good behavior, be and the same is hereby repealed ; and that the said city of Philadelphia shall be divided into twelve survey districts, as follows : In District one shall be the First ward west of Broad street ; in District two shall be the residue of the First ward, the Second and Third wards ; in District three shall be the Fourth, Fifth, Seventh, Eighth, Ninth and Tenth wards ; in District four, Thirteenth, Fourteenth and Fifteenth wards ; in District five, the Sixth, Eleventh, Twelfth, Sixteenth and Seventeenth wards ; in District six, the Eighteenth and Nineteenth wards ; in District seven, the Twentieth ward ; in District eight, the Twenty-first ward ; in District nine, the Twenty-second ward ; in District ten, the Twenty-third ward ; in District eleven, the Twenty-fourth ward, north of Market street, and in District twelve, the Twenty-fourth ward, south of Market street ; and on the first Tuesday in May, one thousand eight hundred and fifty-five, the qualified voters of each of said districts shall elect one citizen, who shall have had five years' experience and skill in his profession, to serve as surveyor and regulator of said district for five years ; and whenever a vacancy shall occur in said board, by resignation, death, expiration of term of service or otherwise, it shall be filled at the next municipal election for the aforesaid term of five years, and in the meantime by said board.

Repeal.
City divided into twelve survey districts.

Election of surveyors and regulators.

SECTION 4. That the said twelve surveyors shall constitute the board of surveyors ; and they shall elect their president, who shall be the chief surveyor and engineer, and shall serve for five years, and shall receive a salary of three thousand dollars for all services by him to be performed ; and each district surveyor a salary of five hundred dollars, for keeping the public record of

Board of surveyors their salaries and fees.

surveys, and performing all services as a member of said board, and such fees as have been usual, or shall be established by ordinance; all the public plans of town plots, in the office of the clerk of the court of quarter sessions, and of the recorder of deeds, shall be deposited in the office of the board of surveyors, subject to the public inspection without charge; it shall be the duty of councils, under the supervision of the president of said board, to cause to be completed, by the district surveyors, in sections, from time to time, a survey and plans of the city plot not already surveyed, according to the provisions of the laws under which the late district of Spring Garden was surveyed, one copy of which plans, when approved by the court, shall be filed in the office of said board, and the other in the office of the proper district surveyor, and in like manner, and with like approval, existing plans may be revised and altered: *Provided*, That the plans made under existing contracts shall be approved by said board before being returned to court for confirmation; and that no ground shall be taken for public use under this act, without compensation, as provided by law; the said board of surveyors, under the direction of the councils, shall have authority to alter the lines and regulate the grades of any street or streets, which may have been laid out upon any of the public plans or otherwise, but not opened, subject to the exception and the approval of the court of quarter sessions, as in the case where the plans are originally submitted for approval and confirmation.

Survey of the city to be completed.

Plans to be filed.

Proviso.

Authority to alter lines and grades of streets.

SECTION 5. That the governor is hereby authorized to appoint two sealers and regulators of weights and measures in and for the city of Philadelphia, one of whom shall have his office north of Vine street, and the other south of said street, and they shall each perform, in their respective districts, the duties prescribed by law, for the fees heretofore allowed, the sealing of each to be good and uniform throughout the said city.

Two sealers of weights and measures to be appointed.

SECTION 6. That no new dwelling house, or other building within said city, shall front upon any street, alley or court, which shall be of less width than twenty feet, or without being made to recede, so that such street, alley or court shall be of that width, the buildings on each side equally receding; the damages for which widening shall be assessed and paid to the owner in manner provided by law in case of opening new streets: every new dwelling house shall also have an open space attached to it in the rear or at the side, equal to at least twelve feet square, and no building of any kind shall be permitted to be erected on any street, court or alley hereafter to be laid out, or if laid out and wholly unimproved by brick or stone buildings before the passage of this act, of a less width than twenty-five feet; and every builder or owner who shall hereafter build otherwise than as aforesaid, shall pay to the said city one hundred dollars, to be recovered with costs as debts of that amount may by law be recovered, and shall also be restrained by injunction from so building; or if having so built after the passage of this act, from the continuance of such building, contrary to the requirements of this act, and shall pay all the expenses of such alterations which the court may decree to be made. It shall be the duty of the commissioners of highways to give notice to the city solicitor of all violations of this act; and if the building be made to conform thereto on notice without suit, one-half the fine shall be abated.

Width of streets, alleys and courts.

Size of yards to dwellings.

Penalty for violating this act.

Duty of commissioners of highways.

Opening of streets SECTION 7. That whenever councils shall deem the public exigency to demand it, they may order by ordinance any street laid upon any of the public plans of the city to be opened, giving three months' notice thereof to the owner; whereupon any of the owners, whose ground will be taken by such street, may forthwith petition the court of quarter sessions for viewers to assess the damages which such owners may sustain by the opening of such street; and if the same be not paid within one year, may sue said city for the recovery thereof: *Provided*, That security shall be given by said city to the owner for the payment of such damages before his ground shall be actually taken, and the city may indemnify the persons entering such security; and no proceedings to assess the damages on any street on such plan shall lapse by the delay of a year in paying such damages. It shall be lawful for councils to institute an inquiry as to persons benefitted by the opening of any new street, and to withhold appropriation for the opening of the same until the persons found to be benefitted shall have contributed, according to the benefit to be derived therefrom, towards the damages awarded to the owners whose ground will be taken therefor; but in no instance shall the contribution exceed the damages awarded for the ground taken.

Bridges. SECTION 8. That it shall be lawful for said city to construct any bridges that may be necessary to carry any street or highway at the proper grade across any ravine or stream therein: *Provided*, That nothing herein contained shall relieve councils from the duty of constructing a bridge over the Schuylkill at Chesnut street, as directed by law: the charges for culverts and pipes shall be at not exceeding the following rates per lineal foot, according to the fronts of the owners, to wit: for water pipes, seventy-five cents, making the usual allowance for corner lots; for culverts, seventy-five cents; and for street paving, one dollar per square yard; and all extra or further charge and for intersections, shall be paid out of the general taxation.

Changes for culverts and pipes. SECTION 9. That whenever it shall become necessary, in the progress of the building improvements of said city, to grade, curb, bridge, culvert, or pave any of the highways used as turnpikes or plank roads, it shall be lawful for councils to agree for the relinquishment of such parts thereof as may be so required from time to time; and if the parties cannot agree, to obtain a jury of view upon such parts to assess the damage the company owning the franchise may sustain, by the city using the same for said purposes; such jury to be appointed, three by the court of quarter sessions of Philadelphia county, and three by such court in the next adjoining county to which such road leads; and such viewers shall take into consideration whether such turnpike or plank road company shall have occupied a previous public highway, or ground purchased by the company: *Provided*, That no contract shall be entered into by the board of commissioners of highways, unless previously confirmed by the concurrent action of councils.

Councils may purchase turnpikes or plank roads. SECTION 10. That hereafter no railroad company, whose road does or shall terminate within the city of Philadelphia, shall have the right or power to locate and construct that part of said road which shall extend within the limits of said city, without first submitting the plans and surveys thereof, exhibiting the grades and routes, to the board of survey of said city, who shall

Jury of view.

Provided.

Making of railroads regulated.

have the power to conform the same as far as may be practicable, to the general plan and regulations of said city, as adopted at that time; and all charters authorizing the construction of any railroad within said city, shall be taken to be subject to the above restriction: *Provided*, That this shall not be construed to apply to any railroad already graded or laid with rails in said city, unless the route or grade thereof shall be altered.

SECTION 11. That all bonds, contracts and obligations heretofore executed, judgments entered, claims filed, and suits now pending in the name of any department of said city, formerly having had a corporate existence, are declared to be good and valid, and to enure to the use of the city; but no such department shall be taken to have had since the passage of the act to which this is a supplement, a separate corporate existence; and hereafter all suits growing out of their transactions, and all claims to be filed for removing nuisances, together with all bonds, contracts and obligations hereafter to be entered into, or received by the said departments, shall be in the name of the city of Philadelphia; and that all indentures of apprenticeship by the guardians of the poor of the said city, shall be executed in the name of the said city and the assent of the city thereto, and to all contracts, bonds and obligations entered into by any of the said departments, shall be evidence by the signatures of the president and secretary of such department affixed thereto.

Certain bonds, contracts, &c. validated.

How suits, &c., shall be brought

SECTION 12. That the city of Philadelphia shall provide rooms for the accommodation of the juries of all the courts, and thereafter no empannelled jury shall be permitted to meet at any tavern or hotel; the said city shall also provide adequate court rooms for the supreme court of Pennsylvania, when sitting in said city, and pay the tipstaves and crier thereof at such rate per day during their actual service, as said court may fix.

Rooms for juries and courts to be provided.

SECTION 13. That all the public advertising for said city, except for municipal claims, whether for elections, taxes, or otherwise, shall be inserted in no more than three daily newspapers, nor more than three times in each; nor shall there be paid for the same any greater rates than those advertised in such papers to be paid by the citizens; and the controller shall pass no bill for advertising otherwise done—the charge for advertising delinquent tax payers shall not exceed thirty-seven cents for all advertising of each name in any one ward, which shall be payable by the person liable for the tax; but if any names of persons shall be advertised as delinquent in the payment of taxes that had been paid, the receiver shall pay the expense thereof; the councils shall not impose taxes upon rural portions of the city, for police and watchmen, for lighting and paving, and cleaning streets, and shall make an allowance therefor of at least one-third of the whole city tax, in favor of such section; and any greater rate than aforesaid assessed or paid, for the present year, shall be remitted or refunded.

City advertising regulated.

Rural districts not to be taxed for police, watchmen, paving and cleaning streets.

SECTION 14. That as soon as the city commissioners shall place the duplicates of taxes in the hands of the receiver, he shall cause his clerks to make out bills against the tax payers, so that all persons indebted for taxes may have their bills by the first day of July in each year, and the same to be delivered at a cost not exceeding one cent for all persons served within two miles of the office, and one and a half cents for all more distant, for making such delivery; the expense whereof shall

Bills of taxes to be made out and delivered.

Fees for delivering.

Proviso. be charged to the city : *Provided*, That all properties owned by one person, or belonging to any one estate in any one ward, shall be included in the same bill.

Constables to give security for collection of taxes. SECTION 15. That it shall not be lawful for the receiver of taxes to place any warrant against delinquent tax payers into the hands of any constable, until such constable shall have given security by bond and warrant, with two sufficient sureties, to the satisfaction of the court of quarter sessions, in the sum of five thousand dollars, nor have in the hands of any constable, at any one time, warrants for a greater amount of taxes than the amount of such bond ; and such constable shall make report and payment of all his collections on such warrants, at least once in every week after they shall have been issued to him. And all taxes unpaid on the first day of January after the year for which they were assessed, shall bear interest until paid, besides the commissions thereon for collection.

To pay over once a week.

Interest on taxes.

Aldermen and constables neglecting to pay over taxes to be sued.

SECTION 16. That every alderman or constable who shall not have made report and payment over to the receiver of taxes, of all taxes received by him for each successive month after he shall have received any taxes, or warrants to collect taxes, shall be proceeded against as is provided by law in respect to delinquent tax collectors under the act of the twenty-eighth of February, one thousand eight hundred and thirty-five—a supplement to the act relating to county rates, et cetera—except that the certificate therein required to be filed by the county commissioners, shall be filed by the receiver of taxes, the treasurer and controller of the city of Philadelphia, or a majority of them.

Such officers to cease collecting.

SECTION 17. That any alderman or constable who shall have made default on the payment over of any taxes collected by him as required by law, shall cease to be authorized to receive any more taxes ; and notice thereof shall be published by the receiver of taxes, in three daily papers three times ; nor shall he be capable of drawing any salary or other dues, from the city, until he shall have fully paid up the amount of his collections. It shall be lawful for the receiver of taxes to administer oaths and affirmations to all persons who may be authorized or required to make oath or affirmation in relation to the collection of taxes or other revenue, payable to said receiver.

Inspector of leaf tobacco.

SECTION 18. That it shall and may be lawful for the councils of Philadelphia, to enact an ordinance providing for the inspection of all leaf tobacco of domestic growth, received at that port, to be sold by sample, for establishing the fee for charges for inspection and sampling, and storage, and imposing penalties for any violation of the same.

Temporary loans by councils.

SECTION 19. That it shall be lawful for councils to authorize by ordinance temporary loans of moneys whenever they shall deem it necessary : *Provided*, That such temporary loans shall at no time exceed in the aggregate the sum of five hundred thousand dollars ; and no such loan shall be for a longer period than four months. Any such ordinance shall be introduced at a stated meeting of the common council, and shall require on its final passage, a vote of two-thirds of the whole number present, of the members of common council ; it shall then be transmitted to select council, for their consideration, and at the next stated meeting thereafter the select council may consider the same ; and it shall in like manner require a vote of two-

thirds of the whole number of the members of the select council.

SECTION 20. That no contract for the construction of any new building, school house, bridge, culvert, new paving of streets, redemption of the tolls of any turnpike or plank road, to be paid for by the city, shall become binding thereon, without an ordinance therefor duly enacted. No contract shall be made by the head of any department, for work or materials for the city, unless for objects authorized by councils—and if for new work, the contract and sureties be approved by the city solicitor and councils, and the supervision of councils shall extend to adjudge the character of all work and materials, done and furnished for the city, and to the scrutiny of the accounts and vouchers therefor; but such supervision and scrutiny shall in no wise relieve the controller from the performance of the like duty in respect to such accounts and vouchers.

Making of contracts regulated.

SECTION 21. That no appropriation shall be made of the moneys of the city without an ordinance therefor, expressing the objects thereof, and the amount appropriated for each object; it shall be the duty of the mayor to keep a register of the amount and objects of all appropriations, and to withhold his signature for all new constructions and redemption of tolls as aforesaid, until all the interest accruing on the loans of the city, and the principal of those becoming due, and the ordinary and necessary expenses of the city and the administration of justice in the county, shall be adequately provided for, and without his signature, any ordinance therefor shall not go into effect; it shall be a misdemeanor in office for the controller of the city to pass, or the treasurer of the city to pay, any bill or order for any object not authorized by law.

Appropriations of money regulated.

Duty of mayor.

Duty of other officers.

SECTION 22. That it shall be lawful for the city of Philadelphia, as rapidly as purchasers can be procured, without a sacrifice of price, to make public sale and conveyance of the public halls, lots and real estate vested in said city, not held upon any trust, and not required for authorized public purposes, and to apply the proceeds in discharge of the city debts, and if ground rents be reserved, to sell and convey the same for said purposes.

Public halls, &c. to be sold.

SECTION 23. That all policemen shall be allowed, with the permission of the mayor, to receive any rewards or gratuities which may be offered them by persons or institutions who may consider themselves benefitted by their extra service: *Provided*, That the same shall not have been asked for or promised before the service was rendered to them personally.

Police may receive rewards.

SECTION 24. That the chief commissioner of highways, and the commissioners of highways, shall constitute a board, of which the chief commissioner shall be president, for the transaction of all business relative to highways, under the ordinance of councils creating the department of highways, or any ordinance that councils may hereafter pass; and said board shall, at the expiration of the terms of office of the present supervisors, recommend to the mayor three suitable persons in each supervisor's district, from whom the mayor shall appoint one person to act as supervisor.

Board of highways.

SECTION 25. Whenever the voters of any ward shall require, by a majority of votes, an additional alderman at any general or municipal election, such voters may vote for such additional alderman at the succeeding municipal election, who shall thereupon be duly commissioned as such alderman: it shall be law-

Election of additional aldermen.

Fees of aldermen
in criminal cases.

Police to serve
certain process.

Part of third con-
gressional district
attached to nine-
teenth ward.

Aldermen to pay
over to city trea-
surer monthly.

School directors
may hold office.

Expenses of house
of correction to
be paid by city.

Fifth street north
of York street,
widened.
When twenty-
sixth section of
this act takes
effect.

ful for any alderman or justice of the peace, or constable in said city, to receive fees in criminal or penal cases; but said costs and penalties shall be paid over to the city treasurer monthly, under like penalties as in the payment of taxes: it shall be the duty of police officers to serve writs of summons and capias for the violation of all penal and criminal acts and ordinances, issued by the mayor or police alderman within the city of Philadelphia, the costs for which shall be received and paid into the treasury as aforesaid.

SECTION 26. That the portion of the third congressional district now embraced within the limits of the Twenty-third ward, be and the same is hereby attached to the Nineteenth ward, and the voters, resident therein, shall vote at the precinct house of the said congressional district to which, by this act, they are attached.

SECTION 27. That all sum or sums of money accruing to and being in the hands of any alderman or other officer, arising from the violation of any ordinance, forfeited recognizance, or for any other violation of law, shall be returned to and paid over to the city treasurer on the first of each and every month; and any such alderman, or other officer, neglecting or refusing to make return and pay over as aforesaid, shall be deemed guilty of a misdemeanor in office, and be proceeded against in like manner as for other misdemeanors.

SECTION 28. That nothing contained in the act to which this is a supplement, shall prevent school directors from holding any other office or appointment.

SECTION 29. That the said councils may provide for the payment of the expenses incurred for plans, estimates, and other necessary purposes by the board of managers of the house of correction and employment for the city of Philadelphia, upon the production by said board of the proper accounts and vouchers therefor.

SECTION 30. That Fifth street, northward from York street, shall be widened upon the plan of streets to one hundred feet, taking an equal quantity of ground from each side: *Provided*, That the twenty-sixth section of this act shall not go into effect until the second Tuesday in October, Anno Domini one thousand eight hundred and fifty-five.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 282.

AN ACT

Supplemental to the act, entitled "An Act relative to the Enon Valley Coal Company," passed the eighth February, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the fourth section of the act, entitled "An Act to encourage manufacturing operations in this Commonwealth," passed the seventh April, Anno Domini, one thousand eight hundred and forty-nine, requiring a majority of the directors of any coal company to be citizens of the commonwealth of Pennsylvania, is hereby declared inapplicable in the organization or in the management of the affairs of the Enon Valley coal company, but the directors thereof shall and may be selected by stockholders, irrespective of residence or citizenship.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 283.

AN ACT

To repeal the eighth section of an act passed the twentieth day of April, one thousand eight hundred and fifty-three, relative to a State road in Clarion and Forest counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the eighth section of the act passed the twentieth day of April, one thousand eight hundred and fifty-three, entitled "An Act to incorporate the borough of Jamestown; authorizing the overseers of the poor of the borough of Williamsport to erect a poor house; relative to a state road in Huntingdon and Mifflin counties, and to a state road in Clarion and Forest counties; to relieve from taxation certain property of William Forest, deceased, and authorizing the president judges of the tenth and

fourteenth judicial districts to hold special courts," be and the same is hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 284.

A SUPPLEMENT

To an act, entitled "An Act for the Relief of the Presbyterian Church and Congregation of Wellsboro'."

WHEREAS, It appears by the petition of J. F. Calkins, S. E. Ensworth, Robert Roy, G. D. Smith, Alexander Brewster, R. G. White and others, that there is a doubt whether the trustees elected on the first Monday of September, one thousand eight hundred and fifty-four, by the Presbyterian church and congregation of Wellsboro', are the legal trustees of said society, which doubt they fear may embarrass their future progress, and that they are desirous of avoiding such a contingency in the future; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Chauncey Austin, Peter Green, R. G. White, Charles G. Osgood, Robert Roy and S. E. Ensworth, having been elected on the first Monday of September, one thousand eight hundred and fifty-four, are the legal trustees of the Presbyterian church and congregation of Wellsboro', to be succeeded by others, according to the seventh and eighth articles of said corporation: *Provided, That if the society shall fail so to elect annually, the old trustees shall hold over until such election.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 285.

A SUPPLEMENT

To the act incorporating the Nanticoke and Hughsville Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That if the president and managers of the Nanticoke and Hughsville turnpike company deem it expedient, they may terminate said road at any point at which the same may come in contact with the Scranton and Bloomsburg railroad line, between Shickshinny and the Nanticoke dam : Provided, That the stockholders give their assent as being favorable to such termination : Provided further, That the time for completing said road shall be extended five years from the time allowed by the act of assembly, approved the first day of April, one thousand eight hundred and thirty-six, with its supplements, April twenty-six, one thousand eight hundred and fifty, and March twenty-six, one thousand eight hundred and fifty-two.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 286.

SUPPLEMENT

To an act to incorporate the Odd Fellows' Hall Association of York county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for the president and managers of the Odd Fellows' hall association of York county, to borrow any sum or sums of money, not exceeding twelve hundred dollars, at any rate of interest not exceeding six per centum, and to pledge and*

mortgage their hall, in the borough of Shrewsbury, for the re-payment of the same.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 287.

A N A C T

Authorizing the laying out and opening a State Road from the west end of the Emlinton Bridge, in Venango county, to the borough of Mercer, in Mercer county.

Commissioners.

Route

Commissioners to be sworn.

Their duties.

Surveyors, chain carriers, &c., and their pay.

Expenses, how paid.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John M’Fadden and Matthew Riddle, of Venango county, and Robert Patterson, of Mercer county, be and they are hereby appointed commissioners to view and lay out a state road from the west end of the site of the bridge over the Allegheny river at Emlinton, in Venango county, by way of Clintonville and Wolf Creek mills, to the borough of Mercer, in the county of Mercer.

SECTION 2. That it shall be the duty of the said commissioners, or a majority of them, after having been duly sworn or affirmed before a justice of the peace, (who shall file and preserve the same in his office,) to perform all the duties required by this act with impartiality, carefully to view the ground and lay out the said road, having respect to the best ground and shortest distance, so as best to promote the public good and do the least injury to private property.

SECTION 3. That it shall be the duty of the said commissioners to appoint some fit person to act as surveyor, at two dollars per day, two chain-carriers and one axeman, at one dollar and twenty-five cents per day; and for fulfilling the duties enjoined by this act, the said commissioners shall be allowed the sum of one dollar and fifty cents per day each, for every day they may be necessarily employed in performing the duties of their appointment; but should Matthew Riddle act as surveyor, in addition to his duties as commissioner, then he shall be allowed the sum of fifty cents in addition to his per diem allowance as commissioner.

SECTION 4. That the said commissioners, surveyor, chain-carriers and axeman shall be paid by the counties through which the said road shall pass, as other accounts against the county are paid, and in proportion to the time spent in each.

SECTION 5. That the said commissioners shall proceed, as soon as practicable, to complete the location of the said road; and if any vacancy should occur in said board, by death, resignation or otherwise, the same shall be supplied by the remaining commissioners selecting a suitable person to fill such vacancy. Vacancies, how filled.

SECTION 6. That the said commissioners shall plainly and distinctly mark the location of said road, and they shall have authority by this act to vacate so much of any road or roads as may be supplied by the new road, and to lay out the said road, or any part thereof, on the bed of any road or part of a road heretofore laid out by authority of law. Location to be marked.

SECTION 7. That it shall be the duty of the surveyor to make a fair and accurate draft of the location of said road, noting thereon the courses and distances, with reference to the improvements, one copy of which shall be deposited in the office of the secretary of the commonwealth, on or before the first day of December next, and one copy in the office of the clerk of the court of quarter sessions of each of the said counties, on or before the said day; and from thenceforth the said road shall be, to all intents and purposes, a public highway, and shall be opened to the width of forty feet, and repaired in all respects as other roads are opened and repaired. Drafts to be made and filed.

SECTION 8. That it shall be the duty of the supervisors and road-masters of the several townships through which the said road may pass, to apply at least one-half the tax assessed for road purposes, on property lying within one mile of said road, to the opening and repairing of said road, each year, until the same is opened out and in good condition. Opening of road

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 288.

SUPPLEMENT

To an act to incorporate the village of Shrewsbury, in the county of York, into a Borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Shrewsbury, in the county of York, are hereby authorized and empowered to borrow, on the faith and credit of the said borough, any sum or May borrow money.

sums of money not exceeding in the whole ten thousand dollars, for the purpose of introducing hydrant water into said borough; and they are hereby authorized and empowered to levy and collect a tax which shall, with the rent of said hydrant water, be sufficient to pay the interest of said loan.

Employ engi-
neers, &c.

SECTION 2. That the burgess and town council of the borough of Shrewsbury shall have full power to contract with and employ engineers, artists, and such workmen as they may deem necessary to carry on and complete the works, as well as to uphold, alter and repair the same.

May introduce
water on petition
of a majority of
the voters.

SECTION 3. That it shall be the duty of the burgess and town council of the borough of Shrewsbury, as soon as may be after the passage of this act, upon the petition of a majority of the qualified voters of the said borough, to proceed to bring and convey into the borough of Shrewsbury, by means of pipes, trunks or other means, some spring or springs, stream or streams of water from the neighborhood, of or from within the bounds of said borough, the right to which shall have been vested in said borough, and also to provide cisterns or reservoirs for the reception thereof; and for the purpose aforesaid, they may enter into such lands or enclosures as may be necessary, and dig ditches and lay pipes and trunks through the same, doing as little damage as may be possible to private property, and paying for whatever injury may be done by them; and when the parties cannot agree, then according to an assessment to be made by three disinterested freeholders, or any two of them, to be mutually chosen by the parties; and said two thus chosen shall choose a third; or if either party shall neglect or refuse to join in the choice, then to be chosen by a justice of the peace, who shall not be interested therein; and the burgess and town council of said borough of Shrewsbury shall at all times, paying damages as aforesaid, have liberty to renew and repair all their pipes, trunks or structures through private property, doing as little damage as possible, and shall have liberty at all times to dig and lay pipes along roads and highways, and the streets and alleys of the borough of Shrewsbury, and to renew and repair the same, shutting up and amending any breaches which they may respectively make as soon as possible; and it shall be lawful for them to make cisterns and reservoirs in the streets or public or private grounds in or near said borough, when the same may be deemed necessary, making compensation as aforesaid.

Water charges

SECTION 3. That the burgess and town council shall at all times, where trunks and pipes shall be laid in and through any of the streets and alleys in said borough, suffer individuals to be supplied with water for domestic use, and such other uses as the burgess and town council may permit, for such reasonable compensation as shall from time to time be agreed on by the said burgess and council, and such individuals, according to such certain uniform rates as the burgess and town council shall hereafter adopt, having regard to the quantity of water which applicants are likely to consume: *Provided*, That the owners of the freehold on and upon which said water is taken and used, shall in all cases be the parties with whom such contract for the use of the water shall be made, and the said real estate be bound for and liable for the payment of the same, reserving to the borough the right to contract with the lessees or tenants, if they see fit and proper so to do; and any person or persons within

Purvis

the said borough, who shall take any of the said water for domestic or other uses, without having previously contracted for the same with the said burgess and town council, shall forfeit and pay for every such offence any sum not exceeding the sum of fifty dollars, to the said burgess and town council, for the use of the borough, to be recovered before a justice of the peace by action of debt or assumpsit, in the same manner as debts of equal mount are now recoverable.

SECTION 4. That if any person or persons or body politic, who shall have contracted with said burgess and town council for the use of said water, shall wantonly and unnecessarily waste the same to the injury of the said borough, or shall permit any other person or persons not being by the said contract entitled to the use thereof, to make use of the same, or shall neglect and fail to pay to the said borough the amount of money by him, her or them agreed upon to be paid as a compensation for the use of said water, for the period of three months after the same shall be due and payable according to the terms of said contract, it shall be lawful for the burgess and town council to withhold and cut off the water from the premises of such individual or body politic and corporate, until all such arrearages, with interest and the costs of recovering, shall be paid: *Provided*, That nothing herein contained be so construed as to affect, impair or take away the right of the said borough to sue for and recover the amount of such arrearages.

Penalty for wasting water or permitting others to use it without paying for it.

Proviso.

SECTION 5. That if any person or persons shall wilfully destroy, or injure in any manner the pipes, aqueducts, cisterns, reservoirs, hydrants or any of them, or any of the works of the said borough erected, or to be erected in pursuance of this act, or shall wilfully corrupt or otherwise render unwholesome, or use without permission, the stream of water which shall be conveyed or brought through the said borough of Shrewsbury, on being convicted thereof before any justice of the peace in and for the county of York, by the oath or affirmation of one or more credible witnesses, pay a fine not exceeding twenty dollars, one-half to go to the poor of said county, and the other half to the informer, and shall moreover remain liable for all damages to the borough.

Penalty for injuries to works. water, &c.

SECTION 6. That whenever the money received for the use of the said water shall exceed the interest and expenses of introducing the said water into the said borough, and making the necessary repairs, the excess shall be applied to the payment of the principal until the same shall be fully paid.

Payment of debt of borough.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 289.

A N A C T

To authorize the borough of Norristown to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the bargess and town council of the borough of Norristown, in the county of Montgomery, be and they are hereby authorized to borrow any sum of money, not exceeding in amount the sum of ten thousand dollars, at a rate of interest not to exceed six per centum per annum, for the purpose of liquidating the floating debt of said borough, and for such other purposes as the authorities of the same may direct: *Provided,* That no bonds or certificates of loan shall be issued for any sum less than one hundred dollars each.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 290.

A N A C T

For the Relief of Elsy Gold, widow of an old soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and is hereby authorized and directed to pay Elsy Gold, of Armstrong county, widow of an old soldier in the Indian war, a gratuity of forty dollars, and an annuity of forty dollars during the term of her natural life, commencing on the first day of January, one thousand eight hundred and

fifty-five, and payable half-yearly thereafter, on the first days of January and July.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 291.

A SUPPLEMENT

To an act, entitled “An Act to prevent Fishing in Big Chiquesalunga creek, in Lancaster county,” approved the fourth day of April, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That one-half the fine levied and received under the provision of the act to which this is a supplement, shall be paid to the person prosecuting, and the other half to the supervisor of the public roads of the proper township, for road purposes.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 292.

AN ACT

For the Relief of Jane Jamison, widow of an old soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized and directed to pay to Jane Jamison, of Armstrong county, widow of a soldier in the Indian war, a gratuity of forty dollars, and an annuity of forty dollars during the term of her natural life, commencing on the first day of January, one thousand eight hundred and fifty-five, and payable half-yearly thereafter, on the first days of January and July.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 293.

A FURTHER SUPPLEMENT

To an act incorporating the Kensington Gas Company, Philadelphia county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Kensington gas company shall be and they are hereby authorized to increase their capital to the sum of one hundred thousand dollars, and to sell, issue or otherwise dispose of such an additional number of shares of stock as may be necessary to effect such increase, in such manner, and at such times and places, as may be ordered by the directors of said company: Provided, That no new works or pipes be erected or laid, with-*

out the approval of the gas committee of the councils of the city of Philadelphia.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 294.

AN ACT

Relating to George Street, in the borough of Norristown.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* George street, between Egypt street and Airy street, in the borough of Norristown, as laid out by the commissioners appointed by an act of the legislature of the said commonwealth, entitled “An Act to extend the limits of the borough of Norristown, in the county of Montgomery,” and for other purposes, approved the twenty-sixth day of March, Anno Domini one thousand eight hundred and fifty-three, be and the same is hereby vacated; and from and after the passage of this act, said street shall be laid out as follows, to wit: The middle thereof beginning at a point twenty-seven feet and three inches north-westerly from the angle on the north-east side of Egypt street, near the house of James M. Chain; thence north twenty-eight and one-half degrees, east at right angles to said Egypt street, two hundred and nine feet and six-tenths, to the said Airy street: *Provided, That the width of said George street shall remain as fixed by the said commissioners: And provided further, That said change of location in said street shall not be made without the consent and approbation of the town council of said borough, had and obtained by resolution approving the same, within one year from the passage of this act.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 295.

A N A C T

To repeal an act, entitled "An Act to re-annex certain Farms to Clarksville borough, in Mercer county."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act, entitled "An Act to re-annex certain farms to Clarksville borough, in Mercer county," approved the sixth day of April, one thousand eight hundred and fifty-four, be and the same is hereby repealed: Provided, That such part of said farms heretofore surveyed and set apart into borough lots and curtilages, shall be and remain annexed to said borough.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 296.

A N A C T

To extend the time for commencing and completing the Wysauking and Wappasening Plank Road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the period for commencing the construction of the Wysauking and Wappasening plank road, authorized by act, approved the seventh day of April, Anno Domini one thousand eight hundred and forty-nine, is hereby extended two years from the passage of this act, and the time for the completion of said plank road to three years thereafter.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 297.

A N A C T

Establishing Fees for Commitments to Houses of Refuge.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the fees upon commitments by aldermen or justices of the peace, to any house of refuge within this state, shall be as follows, to wit: To any constable or officer for arresting the person committed, fifty cents; to the alderman or justice of the peace directing the commitment, fifty cents; to the constable or other officer delivering the person committed, pursuant to such commitment, at the proper house of refuge, one dollar, with mileage at the rate of five cents circular for all distances traveled; said fees and mileage to be paid by the county in which the commitment is made: *Provided,* That no allowance for mileage shall be made unless the distance traveled shall exceed seven circular miles.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 298.

A N A C T

For the defining the Boundary Line between the city of Philadelphia and Montgomery county.

WHEREAS, The boundary line between the city of Philadelphia and Montgomery county, south of the river Schuylkill, is not distinctly marked and defined:

And whereas, A public road has been laid out and used for a long time on and near said line, which road has been taken and deemed to be the line of division, and upon which many improvements have been made; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly*

met, and it is hereby enacted by the authority of the same, That
C. M. Eakin, of Philadelphia, and E. W. Beans, of Montgomery
county, be and they are hereby constituted and appointed com-
missioners and surveyors to run, regulate and adjust said county
line, from the south side of the river Schuylkill to Cobb's creek,
and to survey, lay out and mark the lines of a road on and along
the same, of fifty feet in width, so as to comprehend the present
road and the stone bridge over the east branch of Indian creek,
on land of Israel W. Morris, except where said road diverges
near the old Lancaster road, on land late of Jacob Sladelman;
but said road shall not be laid so as to take away or materially
injure any substantial building, nor come within thirty feet
thereof, without the consent of the owner.

SECTION 2. That it shall be the duty of said commissioners,
 after taking and subscribing an oath or affirmation, before a
 justice of the peace, to perform the duties hereby enjoined on
 them with fidelity and impartiality, to carefully survey, lay out
 and define the said road and boundary line in such manner as
 to enable the supervisors readily to find the same; they shall
 each receive an allowance of three dollars for each and every
 day diligently employed in discharging the duties enjoined by
 this act; and are hereby authorized to employ one rod-man and
 two chain-carriers, at not more than one dollar and twenty-
 five cents each per day; the expenses whereof to be paid equally
 by the treasurers of the city of Philadelphia and Montgomery
 county, upon the rendition of the accounts of said commis-
 sioners.

SECTION 3. That it shall be the duty of said commissioners to
 make fair and accurate drafts in triplicate of said boundary line
 and road, noting thereon the courses and distances as they oc-
 cur, with such other matters as may serve for explanation, one
 copy whereof shall be delivered to the board of surveyors of the
 city of Philadelphia, and one copy to the court of quarter ses-
 sions of Montgomery county; and when respectively confirmed
 by said board of surveyors and said court of quarter sessions,
 the third copy shall be filed in the office of the secretary of the
 commonwealth; on the confirmation and filing of the drafts as
 herein directed, the centre of said road so laid out, shall be the
 true and legal division between the city of Philadelphia and
 Montgomery county; and said road, under the name of the City
 avenue, shall be to all intents and purposes a public highway,
 and shall be opened, and kept open of the width herein directed,
 and repaired in all respects as roads are opened, laid out and
 repaired on county lines by order of the courts; and the damages,
 if any, shall be paid equally by the said city and county.

SECTION 4. That in case of vacancies in said commission, they
 shall be filled by the courts of quarter sessions of said counties
 respectively.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one
 thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 299.

A N A C T

To legitimate Isadore Bowman.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Isadore Bowman, daughter of Francis L. Bowman, of the borough of Wilkesbarre, county of Luzerne, shall have and enjoy all the rights and privileges of a child born in lawful wedlock, and shall be able and capable in law to inherit and transmit any estate whatsoever, as fully and effectually as if she had been born in lawful wedlock.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 300.

A N A C T

Authorizing the North Lebanon Railroad Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the North Lebanon railroad company be and is hereby authorized to borrow, in addition to any sum previously borrowed under existing laws, any sum of money, not exceeding twenty thousand dollars, redeemable in seven years, at a rate of interest not exceeding seven per cent. per annum, payable semi-annually, for the completion of the said railroad, and shall have power and authority to mortgage the said road for the liquidation of the said loan: *Provided,* That no bond or certificate shall be issued for a less amount than two hundred dollars.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 301.

A FURTHER SUPPLEMENT

To an act to incorporate the Thomas Iron Company, approved April fourth, Anno Domini one thousand eight hundred and fifty-four.

Elections regulated.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all elections for directors, under the act to which this a supplement, shall be by ballot, and each stockholder shall be entitled to vote according to the number of shares held, in the following ratio, to wit: For each share not exceeding two shares, one vote, for every two shares above two, and not exceeding fifty shares, one vote; for every four shares above fifty, and not exceeding one hundred, one vote, and for every six shares above one hundred, one vote; no share shall confer the right of voting while any instalment thereon is due and unpaid, nor which shall have been transferred within three months from the day of election, nor unless bona fide held by the person in whose name it appears, in his own right, or in that of his wife, or as executor, administrator, trustee or guardian, and all votes by proxy shall be on the terms and conditions prescribed by the several acts of assembly regulating proxies.

Repealed.

SECTION 2. That so much of the act to which this a supplement, as is inconsistent with this act, be and the same is hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.
WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 302.

A SUPPLEMENT

To an act to incorporate the Valley and Mountain Turnpike and Plank Road Company, approved the fourteenth day of April, Anno Domini eighteen hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

the thirteenth, fourteenth, fifteenth and sixteenth sections of the act to which this a supplement, be and they are hereby revived, and the said sections shall have all the force and effect henceforth, which they had when first enacted, except as hereinafter provided ; and the commissioners named in said thirteenth section, together with the commissioners hereinafter named, shall have and possess all the powers and privileges, and shall be subject to all the duties, except as hereinafter modified, conferred and imposed by said sections.

Certain sections
of former act
revived.

SECTION 2. That in addition to the commissioners named in the said thirteenth section, John Urquhart, Richard Ryman, Abram Ryman, Alman Goss, Harrison Wright, Samuel Hoyt, Stephen S. Winchester, Augustus C. Laning, William R. Moffet, William H. Alexander, Elisha B. Harvey, George P. Steele, Andrew T. M'Clintock and Warren J. Woodward be and they are hereby appointed commissioners to carry into effect the provisions of this act, and of the act to which this is a supplement.

Commissioners.

SECTION 3. That the said commissioners are authorized to receive subscriptions to the capital stock of said company, payable in labor or commodities of any kind which the subscribers shall be willing to furnish, and the said company shall be willing to receive.

Subscriptions.

SECTION 4. That the board of directors of the Lackawanna and Bloomsburg railroad company, the managers of the Wilkesbarre bridge company, and the board of directors of any coal or improvement company in the county of Luzerne, are hereby authorized to subscribe on behalf of their respective corporations, to the stock of the said Valley and Mountain turnpike and plank road company.

Certain companies may sub-
scribe for stock

SECTION 5. That the said Valley and Mountain turnpike and plank road company shall be and they are hereby authorized to charge tolls upon each and every mile of their road, so soon as any mile thereof shall be completed.

Tolls.

SECTION 6. That the said company be and they are hereby authorized to build, construct and finish, in pursuance of the provisions of this act, and of the act to which is a supplement, a road from M'Lellansville, in the township of Dallas, to the forks of Toby's creek, and thence to the eastwardly termination of said road, previously to the building of the road from said forks of Toby's creek to Huntsville.

Road

SECTION 7. That said company be and they are hereby authorized to locate and grade their road, so that the same may rise and fall so as to form an angle of any number of degrees which the managers of said company shall deem expedient ; and said road, so far as the said grade is concerned, shall not be subject to the provisions of the eleventh section of the act of the twenty-sixth of January, one thousand eight hundred and forty-nine, regulating turnpike and plank road companies.

Grade of road.

SECTION 8. That said company shall be at liberty to extend branches of their said road from Huntsville to any point in the township of Huntington, in Luzerne county, and to any point on Bowman's creek, in the county of Wyoming, subject to all the provisions of this act, and of the act to which this is a supplement ; and for the purposes of these branches, or either of them, the managers of said company are hereby authorized to increase, from time to time, the capital stock thereof to such amount as shall be necessary: *Provided however*, That the branch which shall extend to Huntington, shall pass within

Branch roads

Proviso.

a quarter of a mile of the south corner of Harvey's lake, and the branch which shall extend to Bowman's creek shall pass within an eighth of a mile of the north corner of said lake.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 303.

AN ACT

To incorporate the Edgehill and Abington Valley Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Joseph C. Tyson, John Shane, George Hamil, Elias Kirk, O. P. Fretz, Paul B. Anthony, George Baker, G. S. Hallowell, John Gilbert, Anthony Williams and Robert Atkinson, of the county of Montgomery, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Edgehill and Abington Valley turnpike company, with power to construct a turnpike road, commencing at Edgehill valley, near the township line between Abington and Cheltingham townships, in Montgomery county; thence by the best route to some point between Sampson's hill and Hatborough, on the Warminster and Hatborough turnpike road; subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved January the twenty-sixth, one thousand eight hundred and forty-nine, and its several supplements: *Provided*, That said company shall have power to erect gates and collect tolls on said road when two or more miles are completed.

SECTION 2. That the capital stock of said company shall consist of six hundred shares, of twenty-five dollars each: *Provided however*, That the stockholders may, at any stated meeting, increase the capital stock of said company to any amount that may be necessary to complete said road.

SECTION 3. That if said company shall not commence the construction of their road within three years, and complete the same within five years from the passage of this act, it shall be

Commissioners.

Style

Route.

Subject to.

Proviso

Capital stock.

Proviso

Commencement
and completion.

null and void, except so far as the same may be necessary to settle up the affairs of said company.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 304.

AN ACT

To vest in Nancy Christy the right of this Commonwealth to the Estate of Prudence Christy, late of Dunbar township, Fayette county, deceased.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all the right, title and interest which this commonwealth may have acquired by reason of any escheat from the want of heirs, or any known kindred of Prudence Christy, late of Dunbar township, in the county of Fayette, deceased, in or to the real estate whereof she died seized or possessed, shall be and the same is hereby vested in her mother, Nancy Christy, to be held by her, her heirs and assigns forever, in fee simple: Provided, That no other right of this commonwealth, except that derived by the said escheat, shall pass by virtue of this act, nor shall the right of individuals be in any way affected or impaired thereby.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 305.

A SUPPLEMENT

To the act to incorporate the Danville Gas Company, in the county of Montour.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the third section of the act, entitled "An Act to incorporate the Easton gas company," as fixes the number of shares of the capital stock of said company at eight hundred, and the price of each share at fifty dollars; and so much of the tenth section of said act as makes it "lawful for the corporation of the borough of Easton, at any time after the expiration of ten years from the passage of said act, to purchase the rights and estates of the said company, on paying them the actual cost of the same: *Provided*, That the stockholders shall have received dividends equal to or greater than six per cent. per annum, and if they shall not have received dividends averaging that amount, making up the deficiency of such dividends, so that the stockholders shall have received their original investment and at least six per cent. on the same," shall not be and the same is hereby declared not to form a part of the charter of the Danville gas company, or to be applicable thereto.

Certain parts of act not applicable to Danville gas company.

Capital stock.

When company may commence erection of gas works.

Correction.

Repeal

SECTION 2. That the capital stock of the Danville gas company shall be divided into one thousand six hundred shares, of twenty-five dollars each.

SECTION 3. That as soon as stock to the amount of twenty thousand dollars shall have been subscribed, and ten per cent. thereof paid into the treasury of said company, it shall be lawful for said company to commence the erection and construction of gas works in the borough of Danville aforesaid, under the provisions of the act to which this is a supplement, and to do all acts and things authorized by said act.

SECTION 4. That the name J. O. Van Allen, named in the act to which this is a supplement, as one of the corporators, be changed to T. O. Van Allen.

SECTION 5. That so much of the act, entitled "An Act to incorporate the Danville gas company, in the county of Montour," passed the eighth day of May, Anno Domini one thousand eight hundred and fifty-four, as is hereby altered or supplied, or as is inconsistent with this supplement, be and the same is hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 306.

A N A C T

To appoint Commissioners to run and mark the County Lines between Northampton, Monroe and Carbon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Philip Johnson, of the county of Northampton, Edward H. Walton, of the county of Monroe, and Adam Mercomb, of the county of Carbon, are hereby appointed commissioners with authority to survey, ascertain and mark the dividing line between the counties of Northampton, Monroe and Carbon. Commissioners.

SECTION 2. That it shall be the duty of said commissioners, after having first taken and subscribed an oath or affirmation, before a justice of the peace, to perform the duties enjoined on them by this act with impartiality and fidelity, to go upon the ground and carefully survey, ascertain, mark and establish the dividing line which separates Northampton from Monroe and Carbon, commencing at the Delaware river, at the corner of Monroe and Northampton, at the Delaware Water Gap, and running to the Lehigh river, at or near the Lehigh Water Gap; and that the said commissioners shall run and mark the said line as the same was originally run and marked, which said line, when so marked, shall be the boundary line dividing the said counties. Oath.
Duties.

SECTION 3. That it shall be the duty of said commissioners, or any two of them, on or before the first day of October, one thousand eight hundred and fifty-five, to survey and mark said line on the ground, by distinct and permanent marks, wherever and as often as the said division line crosses any public road or highway, and other convenient distance on the aforesaid line; and to make three drafts of the same, certified under their hands, with courses and distances plainly laid down, with references to the improvements through which said line may pass, one of which they shall deposit in each of the prothonotary offices of the aforesaid counties, as soon thereafter as practicable, which shall be considered as a public record. Mark line and
make drafts.

SECTION 4. That the said commissioners shall receive, as a compensation for their services, the sum of three dollars per day each, for and during the time they shall be actually engaged in the discharge of their duties; and the commissioners shall have authority to appoint a surveyor, and each of said commissioners one assistant; said assistants shall receive for their services the sum of two dollars per day each, while actually engaged in said survey; and all the aforesaid expenses shall be paid as follows: Northampton county three-sixths, Monroe county two-sixths and Carbon county one-sixth, by the commissioners of said counties, by warrant drawn on the treasurers of their respective counties. Pay of commis-
sioners and others.

SECTION 5. That in case that any of the above named commissioners shall refuse to serve, or in the event of his sickness or death, the remaining two shall select a suitable person, a resident of the same county in which the person resided who Vacancies.

caused the vacancy as commissioner, and if two or more vacancies shall occur from the same cause, the associate judges of the counties in which vacancies exist, are hereby authorized to appoint commissioners to discharge the duties prescribed in this act.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 307.

A SUPPLEMENT

To an act, entitled "An Act to incorporate the President and Managers of the Silver Lake Turnpike Road Company," et cetera, approved the twenty-fifth day of March, one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the fifth section of the act to which this a supplement, be and the same is hereby repealed; and the third and fourth sections of the act mentioned therein, be and the same are hereby re-enacted, as fully and effectually as if they were herein set out at length.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini, one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 308.

A N A C T

Regulating the Measurement of Paving Stones in the city of Philadelphia, and the counties of Northampton and Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That in the city of Philadelphia and Northampton and Allegheny counties all contracts for the purchase and sale of pebble paving stones by the load, thirty-three cubic feet, without packing, shall be deemed and taken to be a load; and any person or persons purchasing such pebble paving stones, who shall pack or in any manner endeavor to obtain a greater quantity than he or they are justly entitled to, shall forfeit and pay the sum of twenty-five dollars for each and every offence, to be recovered as debts of like amount are by law recoverable, one moiety thereof to the informer and the other to the use of the commonwealth.*

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 309.

A N A C T

Repealing the thirteenth section of an act relative to Public Roads in Mifflin county, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the thirteenth section of an act, entitled "An Act relative to public roads in Mifflin county, and for other purposes," approved the fifth day of April, one thousand eight hundred and forty-nine, be and the same is hereby repealed.*

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 310.

AN ACT

To extend the borough of Athens, in the county of Bradford.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the north line of the borough of Athens, in the county of Bradford, be extended north to the south line of the Caton tract, running from the south-east corner of the Caton tract, and the north-east corner of Edward Herrick's land, on the bank of the Susquehanna river; thence a westerly course along the south line of said Caton land to the east bank of the Chemung river; and that the said borough of Athens shall include all the land between the Susquehanna and Chemung rivers, south from said Caton line, including the island opposite said borough in the Susquehanna river, and hereafter to be subject to the laws and regulations of said borough.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 311.

AN ACT

To provide for the erection of a House for the Employment and Support of the Poor for the county of Carbon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William H. Cool, William H. Trescott, Joel Geerhart, Jonas Hartz, C. H. Williams, D. J. Labar, John Gould, William Leonard, Joseph Serfass, Enos Koch, Lucius Ashley, T. L. Foster, Joshua Bullock, John Lentz, Oliver Musselman, H. Arner, Franklin Reed, Daniel Heberling, John Balliet, Jacob Andreas, Daniel Stemler, George Wagner, Thomas Craig, David Shaffer, Nathan Patterson and Charles Packer be and are hereby

appointed commissioners, whose duty it shall be, or a majority of them, on or before the first day of January, Anno Domini one thousand eight hundred and fifty-six, to determine upon and purchase such real estate as they shall deem necessary, for the accommodation of the poor of Carbon county; and it shall be lawful for said commissioners, or a majority of them, to take conveyances therefor, in the name and for the use of the corporation mentioned in the third section of this act, and they shall certify their proceedings therein, under their hands and seals, to the clerk of the court of quarter sessions of Carbon county, to be filed in his office; and an election to be held by the officers of the general election, at the places of holding the general election in the several boroughs, townships and districts of the county of Carbon, on the second Tuesday of November next, of which the sheriff of the county shall give notice by proclamation, published in at least two newspapers of the county, for two successive weeks, the last of which shall be published at least five days previous to the day of holding the election, which election shall be held in conformity with all the requisitions of existing laws relative to general elections, the qualified electors of said county shall elect three reputable citizens of said county to be directors of the poor and of the house of employment for the county of Carbon for the ensuing year; and the judges of the elections of said county shall immediately, on receiving the returns from the several election districts, and casting up the number of votes therein, or within three days thereafter, shall certify under their hands and seals the names of the persons so elected directors, to the clerk of the court of quarter sessions of said county, who shall file the said certificate in his office, and forthwith give notice in writing to the said directors of their being elected; and the said directors shall meet at the court house in said county, on the first Monday of December next ensuing their election, and divide themselves by lot into three classes; the place of the first to be vacated at the expiration of the first year, of the second at the expiration of the second year, and the third at the expiration of the third year, so that those who shall be chosen after the first election, and in the mode above described, may serve three years and one-third may be chosen annually.

Their duty.

Election of directors of the poor.

Certificates of election.

Meeting of directors.

Classification.

SECTION 2. That every director elected in the manner aforesaid, or appointed as hereinafter directed, shall within ten days after he is notified of said election or appointment, and before he enters on the duties of said office, take an oath or affirmation before any justice of the peace of said county, who is hereby authorized to administer the same, that he will discharge the duties of director of the poor for said county truly, faithfully and impartially, to the best of his knowledge and ability; and in case of neglect or refusal to take the said oath or affirmation within the time aforesaid, and perform the duties aforesaid, he shall forfeit and pay the sum of ten dollars, for the use of the poor of said county, which fine shall be recovered by the directors for the time being, as debts of the same amount are or shall be by law recoverable; and the directors qualified as aforesaid, are hereby authorized to administer oaths or affirmations in any case where it shall be necessary in relation to the duties of their office.

Directors to be sworn.

Penalty for refusing to act.

SECTION 3. That the said directors, and their successors, shall forever hereafter, in name and in fact, be one body politic and

Body politic.

Style.

Privileges

Treasurer

Steward.

Matron

Physicians.

Apprentices.

Proviso.

Proviso.

Proviso.

Estimate of ex-
penses of land,
buildings, &c.

County tax may
be increased.

Proviso.

corporate in law, to all intents and purposes whatsoever, relative to the poor of the county of Carbon, and shall have perpetual succession, and may sue and be sued, plead and be impleaded, by the name, style and title of "The directors of the poor and of the house of employment for the county of Carbon," and by that name shall and may receive, take and hold any lands, tenements and hereditaments, not exceeding the yearly value of ten thousand dollars, and any goods and chattels whatsoever, of the gift, alienation or bequest of any person or persons whatsoever, to purchase, take and hold any lands and tenements within their county, in fee simple or otherwise, and erect thereon suitable buildings for the reception, use and accommodation of the poor of said county, to provide all things necessary for the reception, lodging, maintenance and employment of said poor; to appoint a treasurer annually, who shall give bond, with sufficient surety, for the faithful discharge of the duties of his office, and at the expiration thereof that he will well and truly pay and deliver over to his successor in office all moneys, bonds, notes, books, accounts and other papers to the said corporation belonging, which shall then be remaining in his hands, custody and possession; and the said directors shall employ, and at pleasure remove, a steward or stewards, and require of him or them an oath or affirmation, and such security for the faithful performance of his or their duties as the board of directors shall deem expedient; and to appoint a matron or matrons, physician or physicians, surgeon or surgeons, and all other attendants that may be necessary for the said poor respectively, and at pleasure the same to remove; and to bind out as apprentices, so that such apprenticeship shall expire, if males, at or before the age of twenty-one years, if females, at or before the age of eighteen years: *Provided*, That no child shall be bound out for a longer time than until he arrives at the age of eighteen years, unless he be bound out to a trade other than a farmer: *And provided*, That in all cases the person to whom they are bound, be required to give the child at least three months' schooling in each year: *Provided also*, That no child shall be bound without the limits of the state, or at a greater distance than fifty miles from the poor house; and the said directors shall exercise and enjoy all such other powers now vested in the overseers of the poor, as are not inconsistent with this act; and the said directors are hereby empowered to use one common seal in all business relating to the said corporation, and the same at their pleasure to alter and renew.

SECTION 4. That said directors shall, on or before the first day of January, one thousand eight hundred and fifty-six, furnish to the county commissioners an estimate of the probable expense of purchasing the lands, erecting the buildings and furnishing the same, and maintaining the poor for one year, whereupon the said commissioners shall and they are hereby authorized to furnish, from the county funds, one-fourth of the sum necessary for the purpose aforesaid; and if the same shall be necessary, they are hereby authorized to increase the county tax, not exceeding one-fourth, for said purpose; and shall procure on loan, or credit of the taxes aforesaid, herein directed to be levied, the remaining three-fourths thereof, to be paid in instalments, with interest, out of the county taxes: *Provided always*, That if such loan cannot be made, the whole amount of the sum necessary for the purpose aforesaid, or such part thereof

as may be deemed proper, shall immediately be added to the county tax, to be paid by the county treasurer to the directors aforesaid, on orders drawn in their favor by the county commissioners, as the same may be found necessary.

SECTION 5. That it shall be the duty of said directors, on or before the first day of November in each and every year, to furnish the commissioners of the said county with an estimate of the probable expense of the poor and poor house for one year; and it shall be the duty of the commissioners to assess, and cause to be collected, the amount of said estimate, which shall be paid to said directors by the county treasurer, on warrants or orders drawn in their favor by the county commissioners, as the same may be found necessary; and the said directors shall, at least once in every year, render an account of all moneys by them received and expended to the auditors appointed to audit and settle the county accounts, subject to the same penalties, rules and regulations as are by law directed respecting the accounts of the county commissioners; and shall, at least once in every year, lay before the court of quarter sessions and grand jury of the county, a list of the number, ages and sexes of the persons maintained and employed in said house of employment, or supported or assisted by them elsewhere, and of the children by them bound out to apprenticeship as aforesaid, with the names of their masters or mistresses, and their trade, occupation or calling; and shall at all times, when thereunto required, submit to the inspection and free examination of such visitors as shall from time to time be appointed by the court of quarter sessions of said county, all their books and accounts, together with the rents, interest and moneys payable and receivable by said corporation, and also an account of all sales, purchases, donations, devises and bequests as shall have been made by them or to them.

Annual estimate of expenses to be made.

Annual accounts.

Reports to court and grand jury

SECTION 6. That as soon as the said buildings shall be erected, and the necessary accommodations provided therein, notices shall be sent, signed by any two of the said directors, to the overseers of the poor of the several townships and boroughs of the said county of Carbon, requiring them forthwith to bring the poor of their respective townships and boroughs to the said house of employment, which order the said overseers are hereby enjoined and required to comply with, or otherwise to forfeit the costs of all future maintenance, except in cases where by sickness or any other sufficient cause, any poor person cannot be removed, in which case the said overseers shall represent the same to the nearest justice of the peace, who being satisfied of the truth thereof, shall certify the same to the said directors, and at the same time issue an order under his hand and seal to said overseers, directing them to maintain such poor until such time as he or she may be in a situation to be removed, at which time the said overseers shall convey the said pauper and deliver him or her to the steward or keeper of the said house of employment, together with said order, and the charge and expense of such temporary relief and of such removal, shall be paid by the said directors, at a reasonable allowance.

Notices to the overseers of the poor.

SECTION 7. That the said directors shall, from time to time, receive, provide for and employ, according to the true intent and meaning of this act, all such poor and indigent persons as shall be entitled to relief, or shall have gained a legal settlement in the said county of Carbon, and shall be sent there by an

To receive and provide for poor

Proviso.

order or warrant for that purpose, under the hands and seals of any two justices of the peace, directed to any constable of the said county of Carbon, or to the overseers of the proper township in any other county of this commonwealth; and the said directors are hereby authorized, when they shall deem it proper and convenient to do so, to permit any poor person or persons to be maintained elsewhere: *Provided*, That the expense of their maintenance does not in any case exceed that for which they could be maintained at the poor house of the said county of Carbon.

Quorum.

Proviso.

SECTION 8. That the said directors, or any two of them, who shall be a quorum in all cases to do business, shall have full power to make and ordain all such ordinances, rules and regulations as they shall think proper, convenient and necessary for the direction, government and support of the poor and house of employment aforesaid, and of the revenues thereunto belonging, and of all such persons as shall come under their cognizances: *Provided*, That the same be not repugnant to this law, or any of the other laws of this state, or of the United States: *And provided also*, That the same shall not have any force or effect until they shall have been submitted to the court of common pleas for the time being, of the county of Carbon, and shall have received the approbation of the same.

Meetings.

SECTION 9. That a quorum of said directors shall and they are hereby enjoined and required to meet at the said house of employment at least once in every month, and visit the apartments and see that the poor are comfortably supported, and hear all complaints, and redress or cause to be redressed all grievances that may happen by the neglect or misconduct of any person or persons in their employment or otherwise.

Pay

SECTION 10. That the said directors shall each of them receive for their services, annually, the sum of thirty dollars, to defray the expenses of their necessary attendance on the duties of their office.

Vacancies.

SECTION 11. That in case any vacancy or vacancies should happen, by death, resignation, removal out of the county or otherwise, the remaining directors or director, together with the court of quarter sessions of the said county, shall appoint a suitable citizen or citizens to fill such vacancy or vacancies until the next general election, when a director or directors shall be elected for the unexpired term of said vacancy or vacancies.

Pay of commissioners.

Allowance to directors.

SECTION 12. That the commissioners of said county of Carbon are hereby directed to pay to each of the commissioners named in the first section of this act, the expenses incurred by them in the performance of their duty, and shall pay to each of said directors a reasonable compensation for their services during the term they are employed in erecting any building or buildings aforesaid: *Provided*, That the same shall not, including the annual sum allowed them by this act, exceed fifty dollars for any one year.

Payment of certain claims

SECTION 13. That all claims and demands in relation to the poor in the aforesaid county, existing at the time of this act being carried into effect, shall have full force and effect, as if this act had not been passed; and when the same shall have been duly adjusted and settled, all moneys remaining in the hands of the overseers, as well as the uncollected taxes levied for the support of the poor in the said townships and boroughs of said county of Carbon, shall be paid over to the supervisors

of the highways of the respective townships and boroughs, to be by them applied towards repairing the roads therein.

SECTION 14. That as soon as the poor of the said county of Carbon shall be removed to the house of employment of the said county, and the outstanding debts and taxes collected and paid over, the office of overseer of the poor within the said county shall from thenceforth be abolished. Office of overseer to cease, when.

SECTION 15. That the powers conferred, and the duties imposed on the overseers of the poor, in and by an act to empower the overseers of the poor of the several townships within this commonwealth to recover certain fines, penalties and forfeitures, and for other purposes, are hereby conferred and imposed on the supervisors of the highways in said county of Carbon; and that the justices of the peace and sheriff within the said county are hereby required and enjoined to pay to said supervisors, to be by them applied to the repair of the highways, the aforesaid fines, forfeitures and penalties, within the time and in the manner prescribed by the said act for the payment thereof in other counties to the overseers of the poor, and to give notice of the receipt thereof to said supervisors within the time and in the manner aforesaid; and that for any neglect or refusal to perform any of the duties enjoined on them by the said act, the justices of the peace and sheriff of the said county of Carbon, shall be subject to all fines, penalties and forfeitures to which justices and sheriffs in other counties by the said act are subject and liable. Certain powers and duties transferred to supervisors of highways.

SECTION 16. That so much of the laws of this commonwealth relating to the poor, as are by this act altered or supplied, be and the same are hereby repealed, so far as they affect the county of Carbon. Repeal.

SECTION 17. That the sheriff of the said county shall, in due time, notify the commissioners named in the first section of this act, of their appointment, and when they shall meet at the court house in said county, to enter upon the duties assigned them by this act. Duty of sheriff.

SECTION 18. For the purpose of ascertaining the sense of the citizens of each township and borough in the county of Carbon, as to the expediency of erecting a poor house, it shall be the duty of the officers of the general election at an election to be held as hereinafter provided, to receive tickets, either written or printed, from the qualified voters thereof, labelled on the outside "Poor house," and on the inside, "For a poor house," or "Against a poor house," and if it shall appear upon casting up the votes of each district at the court house, upon the third day after said election, that a majority of the votes cast in any borough or township in the said county of Carbon, are against a poor house, then and in that case, the provisions of this act, so far as they affect in any manner, the citizens of such township, townships, borough or boroughs, shall be construed to be entirely inoperative, but shall be and remain good and effectual, and shall apply to such townships and boroughs, in said county, as shall, by a majority of votes as aforesaid cast at said election, have signified their willingness to accept the same, as fully and effectually as though originally contemplated, mentioned and specified in this act; and in that case the taxes to be assessed under the provisions of this act, shall be levied and charged only upon the accepting townships and boroughs aforesaid; and the commissioners named in the first section of this act, whose Election to be held to determine upon the expediency of erecting said poor house.

residence is in the non-accepting districts, shall not be allowed to exercise any of the rights or powers conferred upon them by this act; and the directors of the poor to be elected, as provided for in this act, shall be residents of the accepting districts, and the citizens of the non-accepting districts shall not be entitled to vote at any election for said directors.

SECTION 19. That the election mentioned and provided for in section eighteen of this act, shall be held at the place of holding the general election in the several townships and boroughs of the county, on the second Tuesday of October next, of which election the sheriff of the county shall give notice by proclamation, published in at least two newspapers of the county for two successive weeks, the last of which notices shall be published at least five days previous to the day of holding said election; and in the notice of the election aforesaid, the sheriff shall cause to be published the eighteenth section of this act, the expense of which publication and the election aforesaid shall be paid out of the county funds.

SECTION 20. That all subsequent elections for directors, after the first hereinbefore provided for, shall be held annually at the time and place of holding the general elections for said county officers.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 312.

AN ACT

Supplementary to an act to incorporate the Limerick and Colebrookdale Turnpike Company, passed the fifteenth March, one thousand eight hundred and forty-seven, and the supplement thereto.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Limerick and Colebrookdale turnpike road company are hereby authorized to extend their road from its present terminus, at or near Boyerstown, in Berks county, thence along or near the Reading road, through Colebrookdale, to the township line of Douglass, near Jacob Bower's mill; and that the said extension shall in all respects be subject to all and singular the

provisions and penalties of the act to which this is a supplement.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 313.

A N A C T

Relative to the borough of Shirleysburg.

WHEREAS, Certain real estate in the late township of Shirleysburg, has, by a compromise or agreement of the parties in interest, been added to and included within the borough of Shirleysburg, in said township, and has been assessed as a part thereof for borough purposes: Preamble.

And whereas, Doubts have arisen as to the legality of the said addition to the said borough, and for the purpose of settling any difficulty that might arise hereafter; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the borough of Shirleysburg, in the county of Huntingdon, as will be designated and added to in the following section, be separated from and made independent of Shirley township, in said county, in the assessments of county rates and levies. Separated from Shirley township for certain purposes.

SECTION 2. That the following real estate adjoining the borough of Shirleysburg, to wit: The lot and premises belonging to Jonathan Briggs; also, the lot adjoining on the north belonging to the heirs of James B. Pergrin, deceased; also, the grounds and premises belonging to the Shirleysburg female seminary; also, a block or tier of vacant lots lying between said seminary and the premises of Ephraim Doyle, now owned by Benjamin Leas and Charles Bowersack; also, a two acre lot of ground situate and lying westward of the foregoing, formerly owned by George Leas, Esquire, and now in part owned by said Leas, Levi A. Myers and others; and that the foregoing real estate shall, from and after the passage of this act, form and constitute part of said borough, and shall be governed by the same laws and regulations as now govern or may hereafter govern the real estate now within the limits of the same. Certain new territory included in said borough.

SECTION 3. That the election of school assessor and assistant assessors held on the sixth day of April, one thousand eight Election of school assessors validly dated.

Board of school
directors organ-
ized

hundred and fifty-five, shall be of like effect as if the same had been held under the provisions of this act; and the board of school directors is hereby declared to be organized with like effect as though the same had not been affected by the general school laws of this commonwealth.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 314.

A SUPPLEMENT

To an act, entitled "An Act to consolidate the Lackawanna and Western, and Delaware and Cobb's Gap Railroad Company," passed the eleventh day of March, Anno Domini one thousand eight hundred and fifty-three.

in actions may
release damages
in certain cases

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases of damages sustained by the owner of any land through or near which the Delaware, Lackawanna and Western railroad has been, or is about to be constructed, where such owners are minors, it shall and may be lawful for the guardians of such owners, with the approbation of the orphans' court of the county in which said lands may lie, and the Delaware, Lackawanna and Western railroad company, amicably to adjust the amount of damages, if they can agree, and upon payment of the amount, it shall be lawful for such guardians to release the said company from all claims thereof, and to make the necessary deed of conveyance to the said company for the land occupied by such railroad and its appurtenances.

§ 1. In general
railroad law.

PROVISED

SECTION 2. That it is the true intent and meaning of the act, entitled "An Act to consolidate the Lackawanna and Western, and Delaware and Cobb's Gap railroad company," approved the eleventh day of March Anno Domini, one thousand eight hundred and fifty-three, to which this is a supplement, that the said Delaware, Lackawanna and Western railroad company shall be subject to all and singular the provisions of the thirteenth section of an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine: *Provided,* That the said Delaware, Lackawanna and Western railroad company shall construct and keep in repair, at their own cost and expense, a safe and sub-

stantial guard that will protect teams from running over the embankment; so far as the wagon road extends through the Delaware Water Gap, within the counties of Monroe and Northampton.

SECTION 3. That it shall be lawful for the said Delaware, Lackawanna and Western railroad company to endorse or guarantee the payment of the bonds of "The Warren railroad company," of New Jersey, to an amount not exceeding three hundred thousand dollars. May guarantee bonds of Warren railroad company.

SECTION 4. That this act shall in no wise be construed to affect any indictment or other legal proceedings heretofore instituted against the said Delaware, Lackawanna and Western railroad, or the contractor or contractors heretofore or now in their employ, nor in any wise affect any sentence or sentences heretofore passed upon any conviction or convictions had upon any such indictment or indictments. Not to affect certain proceedings

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 315.

A SUPPLEMENT

To an act, entitled "An Act relating to the lien of mechanics and others and to sales to enforce the payment of liens."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the third section of the act, entitled "An Act relating to the lien of mechanics and others, and to sales to enforce the payment of liens," approved January twenty-third, one thousand eight hundred and forty-nine, as provides for the redemption, within one year, of property sold for registered taxes or municipal claims, is hereby declared and construed to extend and apply to all sales for liens or charges, for the expenses of removing nuisances, and that this is and shall be taken to be the true intent and meaning of the aforesaid section of the said act.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 316.

A FURTHER SUPPLEMENT

To an act to amend and consolidate with its supplements, an act for the Recovery of Debts and Demands not exceeding one hundred dollars, before a Justice of the Peace, and for the election of Constables, and for other purposes, approved the twentieth of March, one thousand eight hundred and ten.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That after the first day of July next, no action brought before a justice of the peace or alderman shall be referred to referees for trial, unless by the agreement, or express assent, of both parties to the action, or their agents, which agreement or assent shall be noted by such justice or alderman upon his docket.

Suits not to be referred except by consent.

SECTION 2. That no special allowance of a writ of *certiorari*, to a justice of the peace or alderman, shall be held requisite to the maintenance of such writ.

Allowance of certioraris.

SECTION 3. That from and after the passage of this act, all summons issued by any alderman or justice of the peace, may designate the hours of the day between which the same shall be returnable; and if either of the parties fail to appear during the time so designated, it shall be lawful for the said alderman or justice of the peace to render judgment, or otherwise determine the same, as is provided by law.

Writs of summons may be made returnable between particular hours of the day before justices and aldermen

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 317.

AN ACT

To change the time for holding the terms of the Supreme Court.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the judges of the supreme court shall annually hold four regular terms of the said court, to wit: One for the Eastern district in the city of Philadelphia, commencing on the first Monday of January, and to continue thirteen weeks, if necessary; one for the Middle district at the borough of Harrisburg, commencing on the fourth Monday of April, and to continue eight weeks, if necessary; one for the Middle district at Sunbury, commencing on the third Monday in October, to continue ten days, if necessary, and one for the Western district at the city of Pittsburg, commencing on the third Monday of October, and to continue eight weeks, if necessary. Terms fixed.

SECTION 2. That the judges of the said supreme court shall continue, by adjournment, the said terms whenever the business which may be depending before them, at any of the places aforesaid, shall render it necessary, so always as not to interfere with their duties in any other of the districts aforesaid; and in addition thereto, the said supreme court shall have power to order special terms, to be holden at the seat of justice of any county within this commonwealth, for the purpose of hearing arguments and the disposition of causes pending in said court from said county, or any other counties within the same judicial district. Adjourned and special terms may be held.

SECTION 3. That this act shall not affect the April term of the Middle district, for one thousand eight hundred and fifty-five. Not to affect April term 1855.

SECTION 4. That all laws inconsistent herewith are hereby repealed. Repeal.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 318.

AN ACT

To legitimate John S. Kelly.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That John S. Kelly, illegitimate son of Elizabeth Sterrit, of East Huntingdon township, Westmoreland county, shall have the right, and be capable in law, to inherit and transmit any estate whatever from and to his said mother, as fully and effectually as if he had been born in lawful wedlock.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 319.

AN ACT

To increase the pay of Commissioners, and in relation to certain duties of Township Auditors, in the counties of Delaware, Blair and Lancaster.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the county commissioners of the counties of Delaware, Blair and Lancaster shall each be entitled to receive from the county treasury, two dollars per day, for each day employed in the duties of their office.*

SECTION 2. That it shall be the duty of the township auditors of Delaware county, to file in the office of the county commissioners a copy of the oath or affirmation required to be taken before entering upon the duties of their office; and hereafter no money shall be paid out of the dog fund to any resident of any

Pay of commis-
sioners.

Oath of auditors
to be filed.

township, until the auditors of such township shall have filed a copy as aforesaid.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 320.

A N A C T

Relative to the Survey of Streets and Alleys in the borough of York.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for burgesses of the borough of York, at any time hereafter, to cause a complete survey of the streets, lanes and alleys of said borough to be made, and to cause permanent marks to be fixed, in conformity with such survey, at such and as many points, in the said borough, as the said burgesses may deem necessary and proper; and from and after such points shall have been fixed, as aforesaid, all regulations of said streets, lanes and alleys, and the lines of buildings thereto adjacent, shall be made according to said permanent marks, and not otherwise.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 321.

A SUPPLEMENT

To the act providing for the Election of District Attorneys.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be the duty of the court of quarter sessions of any county, to appoint a district attorney for the time being, in all cases where the district attorney shall be absent from the court, which person so appointed, shall perform all the duties of the office until the regular district attorney shall appear in person to perform the same.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 322.

A SUPPLEMENT

To the act for the prevention of Frauds and Perjuries, passed twenty-first of March, one thousand seven hundred and seventy-two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That no action shall be brought whereby to charge any executor or administrator, upon any promise to answer damages out of his own estate, or whereby to charge the defendant, upon any special promise, to answer for the debt or default of another, unless the agreement upon which such action shall be brought, or some memorandum or note thereof shall be in writing and signed by the party to be charged therewith, or some other person by him authorized.*

SECTION 2. That this act shall not go into effect until the first day of January next, or apply to or affect any contract made or responsibility incurred prior to that time, or for any contract

the consideration of which shall be a less sum than twenty dollars.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 323.

AN ACT

Relating to Damages for Injuries Producing Death.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the persons entitled to recover damages for any injury causing death, shall be the husband, widow, children or parents of the deceased, and no other relative; and the sum recovered shall go to them in the proportion they would take his or her personal estate in case of intestacy, and that without liability to creditors. Who may recover.

SECTION 2. That the declaration shall state who are the parties entitled in such action; the action shall be brought within one year after the death, and not thereafter. Limitation of action.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 324.

A N A C T

To authorize and empower the Court of Common Pleas of Mercer county to legitimate certain persons who were emancipated by the last will and testament of Dr. C. D. Everett, late of Albemarle county, Virginia.

WHEREAS, Dr. C. D. Everett, late of Albemarle county, state of Virginia, by his last will and testament provided for the manumission of his slaves, and for their maintenance and support:

And whereas, The executor of said decedent, under the powers of said will, purchased certain real and personal estate to and for the use of his said slaves, situate in the county of Mercer, in this Commonwealth:

And whereas, Doubts may arise as to the legitimacy of some or all of said manumitted slaves, and their children; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the court of common pleas of said county of Mercer, are hereby specially authorized to entertain, on petition of one or more of the following persons, the reputed manumitted slaves, to wit: of Joe Duke, Lucy Myers, George W. Duke, Naney Bell, Winsor Duke, Letitia Robertson, Rose Allen, James Duke, John Allen, George W. Lewis, children of Joe Duke; Tom Bell, Lucy Jane Bell, Milly Bell, Nelly Bell, Rachel Bell, Susan Bell, Judy Bell, Jackson Bell, William Bell, children of Nancy Bell; Sally Watson, Margaret Watson, Hannah Watson, Amanda Watson, Frank Robertson, Joe Robertson, Louisa Robertson, Alexander Robertson, Richmond Robertson, children of Letitia Robertson; Francis Allen, John Allen, Ann Allen, children of Rose Allen; William C. Rives, Edward Watson, Henry Myers, Susan Myers, children of Lucy Myers; Nick Myers, Lucy A. Myers, children of Susan Myers; Reuben Duke, Charles Duke, Joseph Duke, children of G. W. Duke; William Myers, Jerry Myers, children of Henry Myers; Henrietta Bell, daughter of Rachel Bell; Samuel J. Duke, son of James Duke; Willis Lewis and Mary J. Lewis, grand-children of Lucy Myers; manumitted slaves or descendants of manumitted slaves, and in a full hearing of all parties in interest, on notice prescribed by said court, and taking into view, as well recognized and reputed marriages, and parentage, as the same may be acknowledged or proved, to make a decree or decrees, severally or generally, to legitimate any or all of said persons, whereby they shall severally have and enjoy such rights and privileges, for the enjoyment, transmission and inheritance of property from their parents or reputed parents, or other relatives, as in the sound judgment and discretion of said court shall seem just and proper; whereupon such decrees or decrees shall have the same force and effect in law and equity, as if herein specially set forth and provided for, for the legitimacy of any or all of said persons, and as if the descendants of

any parents or other relationships so ascertained, had legitimately stood in such relationships by the laws of Pennsylvania.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 325.

AN ACT

Relative to the approving of bonds given by applicants for tavern licenses in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That for approving the securities on the bonds of applicants for tavern licenses in the city of Philadelphia, fifty cents for each shall be paid by the applicant to the officer authorized to examine and approve the same.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 326.

AN ACT

To extend the width of Chatham street and open part of Tioga street, in the city of Philadelphia.

Chatham street
from Front to
Broad widened.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Chatham street from Front street to Broad street, in the city of Philadelphia, is hereby widened to the width of one hundred and twenty feet, an equal quantity of ground to be taken from each side of said street, and the same shall be opened the said width in the same manner, and the damages thereon assessed and paid as in the case of other streets opened in said city.

Tioga street from
Richmond street
to Frankford road
opened.

SECTION 2. That Tioga street from Richmond street, to the Frankford road, as the same is laid down on plans of the second and third sections of the survey of the township of the Northern Liberties, in the county now city of Philadelphia, filed of record in the office of the clerk of the court of quarter sessions of the said county and confirmed respectively by decree of said court, on the first day of July, Anno Domini one thousand eight hundred and forty-three, and eleventh day of January, Anno Domini one thousand eight hundred and forty-five, be and the same is hereby declared to be opened; and the chief commissioner of highways of the said city is hereby authorized and directed forthwith to open the same, agreeably to the said plans, and the owner or owners of ground through or over which the same shall pass, may proceed to obtain indemnification for the injury he or they may sustain thereby, in the manner provided in respect to streets laid out, and duly ordered to be opened, as provided by the road laws in force in the city and county of Philadelphia.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 327.

AN ACT

Relating to Inquisitions on Real Estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* in all cases of an inquisition and extent of real estate, and the acceptance of the same by the defendant or defendants, or other person or persons claiming under him or them, as provided for in the second and third sections of the act of the thirteenth of October, Anno Domini one thousand eight hundred and forty, entitled "An Act relating to orphans' court, and for other purposes," said act shall be construed not to permit any second or other inquisition and extent pending the first, upon any writ issued upon any judgment entered in the court of the proper county at the date of such inquisition; but any plaintiff in a judgment, or other person claiming to have a lien upon said real estate, may proceed to collect the same in the manner provided in the fourth section of said act, in the proper court of the city or county in which such real estate is located.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 328.

AN ACT

Relative to State Roads and Bridges in the counties of York, Cumberland, Fayette and Westmoreland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* so much of any law of Pennsylvania, as prevents the courts of quarter sessions from appointing viewers to vacate or change the location of part of any road, (or bridge,) laid out by act of

LAWS OF PENNSYLVANIA,

assembly, previous to their being opened for travel, is hereby repealed, so far as the same applies to the counties of York, Cumberland, Fayette and Westmoreland.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 329.

A SUPPLEMENT

To an act, entitled “An Act relative to certain Courts in the city and county of Philadelphia.”

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the judges of the district court for the city and county of Philadelphia, in addition to the two commissioners authorized to be appointed by existing laws, are hereby authorized to appoint a commissioner with the same powers and authorities, and to receive the same compensation, as is established in and by the said laws; and any one falsely swearing or affirming before the said commissioners, shall be liable to the pains and penalties of perjury.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 330.

AN ACT

Relating to fines, forfeitures and penalties in the city of Philadelphia and the county of Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the mayors of the cities of Philadelphia, Pittsburg and Allegheny, the burgesses of the several boroughs of Allegheny county, as also the aldermen of said cities, and the justices of the peace of said county, shall make a statement under oath, on the first Monday of April, July, October and January in each year, of all the fines, forfeitures and penalties received by them, under the provisions of the several acts of assembly of this commonwealth, to the respective treasurers of the said city of Philadelphia and county of Allegheny, and shall, at the same time, pay over to said treasurer the amount of said fines, forfeitures and penalties for the use of said city or county, as the case may be; and should any of said officers fail to furnish said statement, and pay over said amount so collected and so required as aforesaid, the party so offending shall forfeit and pay to the said city of Philadelphia or the county of Allegheny, as the case may be, the sum of two hundred and fifty dollars, to be recovered by an action of debt in the court of common pleas in the county of Allegheny or Philadelphia, as the case may be; all laws inconsistent with the above are hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 331.

A N A C T

To prevent animals running at large in Warren and Crawford counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all stallions, bulls, bucks or rams, and all swine which may be found running at large in any of the streets or highways in the counties of Warren and Crawford, shall be and the same are declared to be strays, and shall be dealt with as such, and subject to the same proceedings as by law are provided for; and any resident of the township or borough is hereby authorized to take up said animals, in the same manner as if said animals had been found trespassing on the premises of said resident: And provided also, That an additional charge of one dollar shall be allowed for taking up the same, which shall be paid by the owner of said animal, or taken out of the proceeds of the sale of the same.*

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 332.

A N A C T

To repeal so much of a law, passed eighteenth February, one thousand eight hundred and forty-one, as relates to a road from Roxbury to Concord, in Franklin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the act, entitled "An Act to lay out a state road from Shippensburg, Cumberland county, to Drake's ferry, in Huntingdon county," as relates to the road from Roxbury to Concord, in Franklin county, be and the same is hereby repealed.*

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED —The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 333.

AN ACT

To incorporate the Fitzwatertown and Mooreland Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John Fitzwater, Joseph Lukens, Daniel Williams, Wilken Hobensack, Samuel Evans, Garret Hallowell, Jarrett Penrose, Jesse Homer, Crosdale Twining and Kirk Marple, of Montgomery county, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Fitzwatertown and Mooreland turnpike road company, with power to construct a turnpike road, commencing at a point on the Limekiln turnpike road, at or near Fitzwatertown, in the county of Montgomery, and thence by the most practicable route, to a point on the Hartborough and Warminster turnpike road, between Walton's corner and the village of Hartborough; subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the supplements thereto: *Provided, That* said company shall have power to erect gates and collect tolls on said road, when two or more miles are completed.

SECTION 2. That the capital stock of said company shall consist of three hundred shares, at twenty-five dollars per share: *Provided, That* the said company may, from time to time, by a vote of the stockholders at a meeting called for that purpose, increase their capital stock so much as in their opinion may be necessary to complete the road, and to carry out the true intent and meaning of this act.

SECTION 3. That if said company shall not commence the construction of their road within three years, and complete the same within five years from the passage of this act, it shall be null and void, except so far as the same may be necessary to settle up the affairs of said company.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 334.

AN ACT

Extending the provisions of the act of the twenty-second April, one thousand eight hundred and fifty, and its supplements, relating to Mutual Savings Fund and Building Associations, to Lycoming and Clinton counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the several sections relating to mutual savings fund, land and building associations, contained in the act passed April the twenty-second, one thousand eight hundred and fifty, entitled "A supplement to an act, entitled 'An Act to prevent waste in certain cases within this Commonwealth,' passed the twenty-ninth day of March, one thousand eight hundred and twenty-two; to land and building associations; giving the court of Susquehanna county jurisdiction in a certain case; relative to the service of process in certain cases; to party walls in Philadelphia; to the proof of a certain will; to the sale and purchase of certain burial grounds in Philadelphia; to the laying of gas pipes in the district of Moyamensing; to the relief of certain sureties in Erie county; to the state lunatic hospital; relative to the service of process against sheriffs; to the rights of married women; to ground rents, and relating to foreign insurance companies and the supplements thereto," be and the same are hereby extended to the counties of Lycoming and Clinton.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HESTER,

Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 335.

A FURTHER SUPPLEMENT

To an act to incorporate the President and Managers of the Belmont Avenue and Plank Road Company, approved the eighth day of April, one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Belmont avenue and plank road company be and are hereby authorized to extend their road to the old Lancaster road, and thence to the Haverford road, and thence to the county line, by such route or routes as they may select; and for the extension of said road the said company shall be subject to all the restrictions, and enjoy all the immunities and privileges contained in existing laws of this Commonwealth, relative to said company, except as the same may be altered by this act. Authorized to extend road

SECTION 2. That it shall and may be lawful for the said Belmont avenue and plank road company, in order to complete their road, to borrow any sum of money not exceeding thirty thousand dollars, on such terms as they may deem expedient, and to issue bonds for the same, in sums of not less than one hundred dollars each. May borrow money.

SECTION 3. That the time for the completion of said road be and is hereby extended for three years from the passage of this act. Completion of road.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 336.

A SUPPLEMENT

To the act to incorporate the town of West Chester, in the county of Chester, into a borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

it shall be lawful for the burgesses and assistant burgesses of the borough of West Chester, if they shall deem it expedient and economical so to do, to purchase the real estate lately owned by Hoopes M'Call, in West Goshen, Chester county, upon the most favorable terms, and again to sell and dispose of the same, reserving such privilege and use of the water of Chester creek, which passes through the same, as may be necessary for the use of said borough.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 337.

A SUPPLEMENT

To the act, entitled "An Act to incorporate the Carbon Run Improvement Company."

WHEREAS, The Carbon Run improvement company have, in the construction of improvements upon their lands, incurred a debt, for the liquidation of which, and for the purpose of defraying the expenses of further improvements, it is desired to raise funds without encumbering the real estate of the company; therefore

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the said company shall be and they are hereby authorized to issue twenty thousand additional shares of capital stock, which shall in all respects stand upon the same footing as the thirty thousand shares already issued under their charter and by-laws, and the managers of said company shall have the right and power of disposing of the said shares, or so many thereof as they may deem expedient to issue, upon such terms as they may deem proper: Provided, That of the new stock to be so issued, a pro rata proportion shall be first offered to each of the present stockholders on the terms to be so adopted, before the same shall be offered for sale to any other person or persons: And provided also, That this act shall be ratified and accepted by at least two*

thirds in number and value of the stockholders for the time being.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 338.

AN ACT

Extending the powers of the Directors of the Poor and House of Employment of the county of Lancaster.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the directors of the poor and house of employment of Lancaster county, are hereby authorized and empowered to take security for the faithful performance of the stipulations contained in the indentures binding the poor children under their control to apprenticeship or service.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 339.

A SUPPLEMENT

To an act to extend the Powers of certain Officers in Allegheny county, approved the twenty-sixth day of February, one thousand eight hundred and fifty-five, and for the better regulation of the Sabbath in said county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Powers of certain
officers extended.

Proviso.

the mayors of the cities of Pittsburg and Allegheny, and the burgesses of the several boroughs in the county of Allegheny, shall have and exercise all the powers of justices of the peace and aldermen, in all cases of violation of the first section of an act to prevent the sale of intoxicating liquors on the first day of the week, commonly called Sunday, approved on the twenty-sixth day of February, Anno Domini one thousand eight hundred and fifty-five: *Provided*, That such mayors and burgesses shall be subject to the proviso in the second section of said act; and in case any person or persons convicted before any mayor, burgess, alderman or justice of the peace of a violation of the first section of an act to prevent the sale of intoxicating liquors on the first day of the week, commonly called Sunday, approved on the twenty-sixth of February, Anno Domini one thousand eight hundred and fifty-five, shall refuse or neglect forthwith to pay the fine lawfully imposed for such violation, with costs, and no goods or chattels can be found whereof to levy the same by distress, he, she or they shall be committed to the common jail of the proper county for a term of not less than ten, nor more than thirty days, at the discretion of the mayor, burgess, alderman or justice of the peace before such conviction shall have been had.

Jurisdiction ex-
tended.

SECTION 2. That the mayors and burgesses mentioned in the first section of this act, shall have and exercise all the powers of justices of the peace and aldermen, in all cases of violation of the first section of the act approved the twenty-second of April, Anno Domini one thousand seven hundred and ninety-four, entitled, "An Act for the prevention of vice and immorality, and of unlawful gaming, and to restrain disorderly sports and dissipation," and in all actions for penalties for violation of acts of assembly, commonly known as *qui tam* actions.

Penalties.

SECTION 3. That any person violating the provisions of the first section of said act for the suppression of vice and immorality, and of unlawful gaming, and to restrain disorderly sports and dissipation, approved April twenty-second, Anno Domini one thousand seven hundred and ninety-four, within the county of Allegheny, being summarily convicted thereof before any mayor, burgess, justice of the peace or alderman, shall forfeit and pay the sum of twenty-five dollars, with costs, and in default of payment, or of goods to levy upon to satisfy the same, shall be committed to the county prison for not less than ten, nor more than thirty days.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 340.

A FURTHER SUPPLEMENT

To an act to authorize the laying out of a State Road from the Allegheny and Perrysville Plank Road to the village of Rochester, in Beaver county, passed eighteenth March, one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the first section of the supplemental act, passed twenty-second April, one thousand eight hundred and fifty-four, are hereby extended to the road or roads leading towards New Brighton, between Michael Harger's mill and John H. Yeager's mill, in Beaver county, and that John Hesson is hereby appointed a commissioner, instead of Paul Way; and Azariah Wynn, surveyor, instead of James A. Gibson.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 341.

A N A C T

Relative to the real estate of the Mount Zion Church, and the Board of School Directors in Monroe township, Cumberland county.

WHEREAS, A difficulty exists between the trustees of the Mount Zion church in Churchtown, Monroe township, Cumberland county, and the directors of the common school of the same district, in relation to a lot of ground, the title of which is defective in either party, and part of which lot of ground has been, for many years, occupied as a grave-yard:

And whereas, The trustees and school directors as aforesaid have amicably divided the said lot of ground, the division line to be where the fence now stands; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

the trustees of the Mount Zion church of Churchtown, Monroe township, in the county of Cumberland, and the board of directors of the common school of the same district, be and the same are hereby empowered and authorized to divide the said lot and ground in Churchtown, and exchange deeds to each respective party and to their successors, and which deeds of conveyance, when legally executed by the said trustees and school directors, shall be taken and deemed valid in law.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 342.

AN ACT

Supplementary to an act to incorporate the Saegertown Academy.

Saegertown
school district
may purchase
stock

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the school district of Saegertown, in the county of Crawford, to purchase stock of the stockholders of the Saegertown academy to any amount not exceeding six hundred dollars.

Academy to be-
come a common
school house

SECTION 2. That as soon as the said school district shall have purchased two-thirds of the shares, and all the interest of a majority of the stockholders of said academy, then, and from thenceforth, the said academy shall be held and used by the said school district for common school purposes as a school house, agreeably to the school laws of this Commonwealth.

School directors
may pay debts
due by academy.

SECTION 3. That it shall be lawful for the school directors of said school district, to pay, satisfy and liquidate all debts, dues or incumbrances, for which said academy is now liable: *Provided,* That said indebtedness does not exceed the sum of one hundred dollars.

Repealed

SECTION 4. That so much of the act to which is a supplement, as relates to the election and duties of trustees of said academy, be and the same is hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 343.

A SUPPLEMENT

To an act incorporating the Wellsboro' Cemetery Company, approved the seventh day of April, one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Chester Robinson, William Bache, George M'Leod, S. F. Wilson, S. E. Ensworth, James J. Jackson, Joseph Riberole, Levi J. Nichols and Peter Green be and hereby are substituted for the persons named in the original act, and that they have full power to act the same as though they were the original commissioners or corporators.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 344.

A SUPPLEMENT

To an act, entitled "An Act to incorporate the Pennsylvania Steam Towing and Transportation Company." passed the first day of July, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Pennsylvania steam towing and transportation company are hereby empowered to increase its capital stock two hundred thousand dollars, and may borrow, on mortgage or otherwise, a sum not to exceed two hundred thousand dollars, and may purchase or hire such steam or other vessels for its transportation purposes as may be requisite. May increase capital stock.

SECTION 2. That the fourth section of the act to which this is a supplement, be and the same is hereby repealed: *Provided,* That the legislature hereby reserves the right to alter, amend Repeal. Proviso.

and repeal this act, and to resume the franchises herein granted, whenever the privileges may be abused.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.
JAS. POLLOCK.

No. 345.

A N A C T

Relating to the Finances of Berks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the court of common pleas of Berks county be and they are hereby authorized and required, at the first session of the court to be holden after the passage of this act, to appoint two or more commissioners, who are accountants and citizens of said county, and whose duty it shall be to examine the accounts of the treasurers and commissioners of said county for the last fifteen years, and to ascertain the amount of the debt of said county, how it was created and for what purposes, and how many bonds have been issued by the county commissioners within that time, and to whom, and whether or not the amounts of said bonds, respectively, were paid into the treasury of said county.

SECTION 2. That the said commissioners, before they enter upon the discharge of their duties, shall each be sworn or affirmed before a judge, alderman or justice of the peace to discharge their duty with fidelity.

SECTION 3. That the said commissioners shall have power, and it shall be their duty to require from any person or persons in whose hands or possession the same may be, all books and papers now or at any time heretofore belonging to the said offices of treasurer and commissioners of Berks county, to be delivered up to the said commissioners, and by them to be deposited in the respective offices aforesaid; and the commissioners are authorized and required to administer the necessary oaths or affirmations to all persons brought before them as witnesses, and for that purpose to issue subpoenas, and award attachments if necessary, to compel the attendance of witnesses, and to enable them to obtain the information necessary for the discharge of their duties.

SECTION 4. That the said commissioners are authorized and required to ascertain what moneys are outstanding and due to the county of Berks, or to the state of Pennsylvania, for state taxes, militia fines and county taxes assessed within said county, and for bridge tolls or any other source, by whom and when due. Further duties.

SECTION 5. That the said commissioners shall make report of their proceedings to the court of common pleas of said county, who shall take such action thereon as they may deem necessary and proper; and the said court shall allow to said commissioners such compensation for their services as they may deem reasonable and just. Report to be made.
Compensation.

SECTION 6. That the commissioners of Berks county shall not borrow any sum of money, on the credit of the county, until after the commissioners to be appointed by said court shall have made a report to said court, and then only on the order of the said court, founded on necessity, which shall be made to appear to said court upon petition, and such other exhibits as the court may require. Borrowing of money by the commissioners of Berks county regulated.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 346.

AN ACT

To incorporate the Wistar Medical College.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Darrach, M. D., John Willbank, M. D., Washington L. Atlee, M. D., and their associates and successors, be and they are hereby made and created a body politic and corporate, in law and in fact, by the name and style of the Wistar medical college of Pennsylvania, and by the same shall have perpetual succession, and may sue and be sued, have a common seal, purchase, and hold, and convey all lands and tenements, moneys, goods, chattels and effects, make all by-laws necessary or proper for the uses of a medical college, and immediately connected therewith, not contrary to the constitution and laws of this commonwealth, and do all and every matter and thing for the purposes of this act, which any corporation or body politic may or can Corporators.
Style.
Privileges.

Proviso. do: *Provided*, That said corporation shall hold no more real estate than the buildings and fixtures necessary for a course of medical instruction.

Officers, by-laws, &c. SECTION 2. That said corporation shall have power to elect such officers as may be necessary for the administration thereof, to provide for the admission of members, and to enact by-laws for their government.

Conferring of medical degrees. SECTION 3. That the faculty of said college be and they are hereby authorized to confer medical degrees, under the same rules and regulations in regard to the term of study and the qualifications of the candidates, as may for the time being be adopted by the University of Pennsylvania or the Jefferson medical college.

Reservation. SECTION 4. That the legislature may, at any time, alter, amend or repeal the privileges hereby granted.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 347.

AN ACT

Relating to Corporations and to Estates held for Corporate, Religious and Charitable uses.

Certain offices declared incompatible. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall not be lawful for any councilman, burgess, trustee, manager or director of any corporation, municipality or public institution to be at the same time a treasurer, secretary or other officer, subordinate to the president and directors, who shall receive a salary therefrom, or be the surety of such officer; nor shall any member of any corporation or public institution, or any officer or agent thereof, be in anywise interested in any contract for the sale or furnishing of any supplies or materials to be furnished to or for the use of any corporation, municipality or public institution of which he shall be a member or officer, or for which he shall be an agent, nor directly nor indirectly interested therein, nor receive any reward or gratuity from any person interested in such contract or sale; and any person violating these provisions, or either of them, shall forfeit his membership in such corporation, municipality or institution, and his office or appointment thereunder, and shall be held guilty of

Officers cannot be surety for each other.

Nor be interested in certain contracts.

Nor receive rewards.

Penalty for violating these provisions.

a misdemeanor, and on conviction thereof, shall forfeit any sum not less than three times any advantage he may have derived by such offence, if any, and if no such advantage have been received, then any sum in the discretion of the court of quarter sessions of the proper county, not exceeding five hundred dollars for each offence: *Provided*, That private corporations heretofore incorporated, with any right or privilege in conflict with this section, shall not be affected thereby, until such corporation shall, by resolution, agree to adopt the provisions hereof, which it is hereby authorized to do.

Proviso.

SECTION 2. That any person who shall contract for the sale, or sell any supplies or materials as aforesaid, and shall cause to be interested in any such contract or sale, any member, officer or agent of any corporation, municipality or institution, or give or offer any such person any reward or gratuity, to influence him or them in the discharge of their official duties, shall not be capable of recovering anything upon any contract or sale, in relation to which he may have so practised or attempted to practice corruptly, but the same shall be void, and such party shall be liable to conviction for a misdemeanor in the court of quarter sessions of the proper county, and shall be fined three times the amount so given or offered corruptly, if ascertained, and if not ascertained, any sum not exceeding five hundred dollars, in the discretion of said court.

Certain contracts declared void.

Penalty for violating this section.

SECTION 3. That the shares held by shareholders in all incorporated land and building associations, and mining and manufacturing companies, shall be taken to be personal property, conferring a right to receive dividends of the profits and proceeds of the real estate held by such companies, but not to create any title in the shareholder in or to such real estate, which shall be subject only to the liens of, and be fully conveyed by the corporation holding the title and owning the same.

Stock in certain companies declared personal property.

SECTION 4. That it shall not be lawful for any unincorporated literary, religious or charitable society, church, association or congregation, hereafter to acquire and hold, either in the associate name or that of trustees or otherwise, real or personal property that in the aggregate is of a greater yearly value than if incorporated it would be allowed to hold under the general laws of this commonwealth for incorporating such associations; nor shall it be lawful for any corporation incorporated under any law of this state, hereafter to acquire and hold through any trustee or trustees, or by any other device whatsoever, real or personal estate to a greater amount or value than such incorporation is by its charter allowed to hold: *Provided*, That any property now held as aforesaid, in excess of such value, shall not be hereby invalidated or prejudiced, in title or otherwise.

Annual income of unincorporated societies limited.

Proviso.

SECTION 5. That no corporation other than such as shall have been incorporated under the laws of this state, nor shall any foreign government, potentate or power, hereafter acquire and hold any real estate within this commonwealth directly, in the corporate name, or by or through any trustee or other device whatsoever, unless specially authorized to hold such property by the laws of this commonwealth: *Provided*, That the residence without the limits of this state of a portion of the members of any religious, literary, charitable or beneficial society, or association otherwise qualified to hold real or personal estate within this state, shall not incapacitate such society or association from

Holding of real estate by foreign governments and corporations regulated.

Proviso.

taking and holding such property, not exceeding the value limited by law.

Title to real estate held by ecclesiastics regulated.

Repeal.

Proviso.

SECTION 6. That no bishop, or other ecclesiastic in any church, shall hereafter hold any real or personal estate in this commonwealth, with a capacity to transmit the title thereof to his successor in office, otherwise than as any other individual holding the same in his private or natural capacity might do; and any law conferring such capacity to transmit by operation of law, property to any successor in any ecclesiastical office, is hereby repealed: *Provided*, That this repeal shall not affect the validity of any titles now held, as aforesaid, but the same may be aliened or devised as property held by such ecclesiastical officer in his natural capacity, but for the like uses and trusts as the same would be subject to if this act were not passed.

Property hereafter devised, &c., for religious purposes, how held.

Charters hereafter granted by courts, regulated.

Exception.

Proviso.

Real estate of unincorporated societies.

Property not to be diverted from its proper uses.

Proviso

Annual income of societies limited.

SECTION 7. That whensoever any property, real or personal, shall hereafter be bequeathed, devised or conveyed to any ecclesiastical corporation, bishop, ecclesiastic or other person, for the use of any church, congregation or religious society for religious worship, or sepulture, or the maintenance of either, the same shall not be otherwise taken and held, or enure, than subject to the control and disposition of the lay members of such church, congregation or religious society, or such constituted officers or representatives thereof as shall be composed of a majority of lay members, citizens of Pennsylvania, having a controlling power, according to the rules, regulations, usages or corporate requirements thereof, so far as consistent herewith; and no charter hereafter granted by any court for any church, congregation or religious society shall be valid, without requiring such property to be taken, held and to enure, subject as aforesaid, except such religious society who shall be composed exclusively of others than laymen, may have trustees or incorporators of the same description of persons: *Provided*, That it shall be lawful for the majority of the male members, of lawful age, of any unincorporated church, congregation or religious society to choose for their trustee or trustees, any other person or persons than a layman; and whenever not previously declared, to declare the manner in which the title to their trust property shall be held and conveyed, and upon due proof of such consent, any court having jurisdiction over trusts, may direct the legal title to be conveyed accordingly; but nothing herein contained shall authorize the diversion of any property from the purposes, uses and trusts to which it may have been heretofore lawfully dedicated, or to which it may hereafter, consistently herewith, be lawfully dedicated: *And provided*, That no alien shall hereafter acquire and hold, either as trustee or in his own right, real estate of a greater annual value than is hereby limited to be held by a corporation.

SECTION 8. That any literary, religious, charitable or beneficial society, congregation, association or corporation having capacity to take and hold real and personal estate within this commonwealth, may acquire and hold the same to the extent in the aggregate of the clear annual value of five thousand dollars, and to no greater extent, without an express legislative sanction; and in ascertaining such value, all vacant lots or lands shall be taken to be of the annual value at which such lots or lands could be let upon ground rent, or at the interest of the price at which they would sell for cash, and without sacrifice; and if occupied and yielding rent or income, then as if the annual value of

such rent or income, or of the valuation as vacant ground, in manner aforesaid, whichsoever shall be of the greater amount ; but no edifice used for worship, education, or an hospital, or the unproductive ground contained within the curtilage of such building, shall be included in such valuation : *Provided*, That no *bona fide* purchaser, for a valuable consideration, shall take a defeasible title by reason of the grantors having held property in excess of the limit aforesaid : *And provided*, That any property now held as aforesaid, in excess of such value, shall not be hereby invalidated or prejudiced in title or otherwise.

SECTION 9. That all property hereafter acquired and held by persons, corporations or associations, forbidden by this act to hold the same, or held contrary to the intent of this act, and all such hereafter acquired, and held beyond the limit prescribed as aforesaid by this act, shall escheat to this Commonwealth, and upon the same being adjudged to have escheated under proceedings in court by *quo warranto* in all respects as is provided by law in the case of the usurpation of any corporate franchise, the same shall be taken in possession and disposed of, and with the like compensation to the person or persons informing and procuring the inquisition as in cases of property escheated for defect of heirs : *Provided*, That no property now held, or hereafter lawfully acquired, shall afterwards become defeasible in title by reason of any subsequent rise in the value thereof ; but such rise, after it shall occur, shall be taken into view to preclude a further acquisition, and holding beyond the limit aforesaid : *And provided* That the legislature may relieve, upon such terms as may be deemed just and for the public good, from any forfeiture as aforesaid, upon the payment to the party informing or prosecuting, his actual expenses, and such further reasonable compensation as the legislature may prescribe.

SECTION 10. That no disposition of property hereafter made for any religious, charitable, literary, or scientific use, shall fail for want of a trustee, or by reason of the objects being indefinite, uncertain, or ceasing, or depending upon the discretion of a last trustee, or being given in perpetuity or in excess of the annual value hereinbefore limited, but it shall be the duty of any orphans' court, or court having equity jurisdiction in the proper county to supply a trustee, and by its decrees to carry into effect the intent of the donor or testator, so far as the same can be ascertained, and carried into effect consistently with law or equity ; for which purpose the proceeding shall be instituted by leave of the attorney general of the commonwealth, on the relation of any institution, association, or individual, desirous of carrying such disposition into effect, and willing to become responsible for the costs thereof, subject to an appeal as in other cases in said courts respectively, and to be reviewed, reversed, affirmed, or modified by the supreme court of this state ; but if the objects of the trust be not ascertainable, or have ceased to exist, or such disposition be in excess of the annual value permitted by law, or in perpetuity, such disposition, so far as exceeding the power of the courts to determine the same by the rules of law or equity, shall be taken to have been made subject to be further regulated and disposed of by the legislature of this commonwealth, in manner as nearly in conformity with the intent of the donor or testator, and the rules of law against perpetuities, as practicable or otherwise, to accrue to the public treasury for the public use.

Devises and conveyances of property to corporations for religious or charitable uses, regulated.

Proviso.

SECTION 11. That no estate, real or personal, shall hereafter be bequeathed, devised, or conveyed to any body politic, or to any person in trust for religious or charitable uses, except the same be done by deed or will, attested by two credible, and, at the time, disinterested witnesses, at least one calendar month before the decease of the testator or alienor; and all dispositions of property contrary hereto, shall be void and go to the residuary legatee or devisee next of kin, or heirs, according to law: *Provided*, That any disposition of property within said period, *bona fide* made for a fair valuable consideration, shall not be hereby avoided.

Revenues of corporations regulated

Proviso.

SECTION 12. That to avert the evil of an indefinite increase of the property in mortmain and perpetuity, it shall not be lawful for any religious, charitable, literary, or scientific society, association or corporation, present or future, to accumulate income into capital or invested estate, so as that the clear annual value thereof, as regards future acquisitions with those now held, shall exceed the limitation hereinbefore contained, and as regards acquisitions now held by or for any such body, shall not exceed said annual amount, except as the property now held does or being made more productive may exceed such amount, but all such clear income, after such amount of capital or invested estate shall be attained, shall be expended annually in and for the purposes, uses and trusts upon and for which the property producing it is held; and if there be not objects within the intent of such purposes, uses and trusts sufficient to exhaust such income, it shall be the duty of such body or association holding such property, to apply to the legislature for authority to expend the income thereof upon such practicable objects as shall most nearly conform to the intent of the uses and trusts upon which such property is held, and in default thereof, such income as shall not be so expended in execution of its trust, shall be paid into the treasury of the commonwealth: *Provided*, That this section shall not be taken as intended to apply to any corporation or trust, if any there be, placed by contract beyond such legislative requisition.

Accounts to be kept by auditor general and state treasurer.

SECTION 13. That it shall be the duty of the state treasurer and auditor general to keep distinct and clear accounts of all moneys which shall accrue to the treasury under this act, that the same may by the legislature be applied to objects within the purpose of the trust thereof, should such objects arise, or to other objects as near as practicable to the intent of such trust, but without interest to be paid thereon by the treasury.

Duty of auditor general in relation to property defeasibly held.

SECTION 14. That it shall be the duty of the auditor general, whenever he shall have reason to believe that any property shall be defeasibly held, and liable upon office found to accrue to the treasury, or that the income of any corporation or association, as aforesaid, shall exceed the limit allowed by law, to call upon any and all officers or trustees thereof, to make within thirty days a true return and exhibit of all their property, and the annual income thereof; and if no return be made within such time, or the same be unsatisfactory to him, it shall be further his duty, to cause to be filed a bill of discovery in the supreme court, or in any court of the proper county having equity jurisdiction, against the officers or trustees of any such corporation or association, which the defendants therein shall answer under the compulsion usual in such cases, and their answers

may be used in any proceeding to assert the rights of the commonwealth.

SECTION 15. That all dispositions of property hereafter made to religious, charitable, literary, or scientific uses, and all incorporations or associations formed for such objects, shall be taken to have been made and formed under and in subordination to all the duties and requisitions of this act, as rules of property and laws for their government. After conveyances of property to be held subject to this act.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 348.

AN ACT

To prevent Fishing with Seines or Nets in the Conococheague creek and Falling spring, in Franklin county, and Jacob's creek, in the counties of Fayette and Westmoreland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall not be lawful for any person or persons (for the term of five years) to fish with seines or nets, of any description, (except with bait-fish nets, not more than three feet by three feet square, or by angling,) in the East and West Conococheague creeks and Falling spring, in Franklin county; and any person or persons so offending, on conviction thereof, on the testimony of one or more witnesses, before a justice of the peace of said county, shall pay a fine of ten dollars for every such offence, to be recovered as debts of equal amount are by law recoverable, by any person or persons who may sue for the same, one-half thereof to be paid to the informer, and the other half to the county commissioners of said county, to be by them applied to keeping such as are imprisoned for offending against this act: *Provided,* That any person or persons so offending, on conviction thereof, aforesaid, who are unable or unwilling to pay said fine of ten dollars, then such person or persons to undergo an imprisonment in the county jail for thirty days: *And provided further,* That such prosecution shall be commenced within thirty days after such offence shall be committed.

Fishing with seines or nets prohibited in the East and West branches of the Conococheague creek, and in the Falling spring.

SECTION 2. That the provisions of the first section of this act be and the same is hereby extended to the waters of Jacob's Fishing in Jacob's creek prohibited.

creek, and its tributaries, in the counties of Fayette and Westmoreland.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini, one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 349.

AN ACT

For the relief of F. C. Ross.

WHEREAS, F. C. Ross, late register and recorder of Wyoming county, did, on the sixteenth day of December, Anno Domini one thousand eight hundred and fifty-one, mail a letter containing one hundred and ninety-seven dollars and seventy-nine cents, money due from said F. C. Ross to the commonwealth of Pennsylvania, on the account of state taxes; that said money was registered by the postmaster at Tunkhannock, and letter containing the same addressed to John M. Bickel, state treasurer, Harrisburg, Pennsylvania, but said letter containing said money was never received by said state treasurer. The sum of seventy-four dollars and sixty-seven cents was in checks, duplicates of which were obtained and transmitted to the state treasurer, and said F. C. Ross has obtained credit therefor, but the sum of one hundred and twenty-three dollars and twelve cents was lost as aforesaid; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the auditor general be and he is hereby authorized and directed to audit the account of F. C. Ross, late register and recorder of Wyoming county, and allow him as a credit the sum of one hundred and twenty-three dollars and twelve cents: Provided, That the facts set forth in the preamble be established to the satisfaction of the auditor general.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 350.

A N A C T

To legitimate Elizabeth Shippen Elder.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Elizabeth Shippen Elder, natural daughter of John Elder, of Dauphin county, shall have and enjoy all the rights and privileges of a child born in lawful wedlock, and that she shall be able and capable in law to take, hold, inherit and possess, pass and transmit, all and every estate, real and personal, of whatever kind or nature soever, as fully, effectually, to all intents and purposes, as if she had been born in lawful wedlock.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 351.

A N A C T

To more effectually prevent the Destruction of Insectivorous Birds, and for the better protection and preservation of Game in the counties of Berks and Allegheny.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act it shall not be lawful for any person within the county of Berks, to shoot, kill or in any way destroy any robin, blue bird, swallow, marten or other insectivorous bird, at any season of the year, or at any time or season of any year thereafter, under the penalty of two dollars for each and every offence. Killing certain birds prohibited.

SECTION 2. That from and after the passage of this act, no person shall shoot, kill or otherwise destroy, in said county of Berks, any pheasant, woodcock, plover, flicker, lark, dove, woodpecker or squirrel, between the first day of January and the first Killing of squirrels, and certain birds prohibited at certain times.

day of September; nor any partridge or rabbit, between the first day of January and fifteenth day of October, in the present year, and in each and every year thereafter, under the penalty of five dollars for each and every offence.

Dealing in pheasants, &c., prohibited out of season.

SECTION 3. That no person shall have in his or her possession, or buy or cause to be bought, or carry out of said county, for the purpose of supplying any private or public house or market, any pheasant, partridge, woodcock, plover, flicker, lark, dove, woodpecker, rabbit or squirrel, unless the same shall have been shot or taken in the proper season, as provided for in this act, under a penalty of five dollars for each and every offence.

Penalty for destroying eggs and nests.

SECTION 4. That no person shall at any time wilfully destroy the eggs or nests of any of the birds mentioned in the first and second sections of this act, within said county, under a penalty of two dollars for each and every offence.

Evidence to convict.

SECTION 5. That the possession by any person in said county of any of the birds mentioned in the first section of this act, or any other insectivorous birds, shot, killed or otherwise destroyed, or of any of the birds or animals mentioned in the second section of this act, shot, killed, or otherwise destroyed out of season, as aforesaid, shall be sufficient and competent evidence upon which to convict under this act.

Penalties for violations of this act.

SECTION 6. That any person offending against any of the provisions of this act, and being thereof convicted before any alderman or justice of the peace for the county aforesaid, either by confession of the party so offending, or by view of any of said aldermen or justices, or by the oath or affirmation of one or more witnesses, shall for every such offence forfeit the sum or fine attached to the same, one-half to the use of the county aforesaid, and the other half to the use of the informer, which forfeiture shall be levied by distress and sale of the offender's goods, as aforesaid; and for want of such distress, if the offender shall refuse to pay the said forfeiture, he shall be committed to prison for every such offence the space of two days, without bail or mainprize: *Provided however*, That such conviction be made within sixty days after the commission of the offence.

Limitation.

SECTION 7. That this act shall not prevent any person or persons from shooting or otherwise killing game or insectivorous birds on his, her or their own property, at any season of the year.

Other laws not interfered with.

SECTION 8. That this act shall not interfere with any existing law or laws to prevent trespass, the firing of guns near public highways, or shooting or hunting on Sunday.

Extended to Allegheny county.

SECTION 9. That so much of this act as refers to rabbits and squirrels be and the same is hereby extended to Allegheny county.

Repeal.

SECTION 10. That any act or acts conflicting with the provisions of this act are and the same are hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 352.

A SUPPLEMENT

To the act incorporating the Belmont Manufacturing Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the sixth section of an act incorporating the Belmont manufacturing company, approved the seventeenth day of April, one thousand eight hundred and fifty-four, be and the same is hereby repealed; and the amount of tax required to be paid by said company into the state treasury, for the use of the commonwealth, on the amount of their capital stock, shall be the same as is required to be paid by all manufacturing companies on their capital stock, according to the provisions of the act regulating manufacturing companies, approved the seventh day of April, one thousand eight hundred and forty-nine.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 353.

AN ACT

To incorporate the Howard Fire and Marine Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* *Corporators.*
Joseph W Souder, George Butz, Jr., Stephen Smith, William Gaul, John Rice, Henry Haines, Washington Brown, J. Cooper Reeves, Charles M. Fay, James Martin, Henry Kreider, Cyrineus C. Sadler, Robert Clark, George P. Russell, William Schott, Edward C. King, Samuel J. Reeves, Joel Bodine, Dewit C. Moore, Edward P. Middleton, George G. Braman, Jacob R. Yost and all other persons who may hereafter become associated with them, shall be and are hereby constituted a body politic and

Style

Powers.

corporate, in law and in fact, by the name of the Howard fire and marine insurance company, and by such name shall have perpetual succession, with full power and authority to make contracts of insurance with any person or persons or any body politic or corporate, against loss or damage of real or personal property by fire or any cause of risk ; to make marine and inland insurance on vessels, cargoes and freights, and on merchandize and other property transported on seas, rivers, canals, lakes and railroads, and by vessels, steamboats, wagons or otherwise, and to execute such agreements, policies and other instruments as shall and may be necessary to effect the same, to cause themselves to be insured against any loss, damage or risk in the course of their business, and shall be able to sue and be sued, plead and be impleaded in all courts of record and elsewhere, to make and have a common seal, and the same to break, alter and renew at pleasure, and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary and proper for the government of the said corporation, not being contrary to the constitution and laws of the United States or of this commonwealth, and generally to do all and singular the matters which to them it shall lawfully appertain to do, for the well being of the said corporation, and the due management and ordering of the affairs thereof.

Loans.

SECTION 2. That it shall be lawful for the said corporation to loan any part of their capital stock, money, funds or other property to individuals or corporations, on real or personal security, or invest the same in any public stocks or funded debt, created or to be created by or under any laws of this or any other state or of the United States, and the same to sell, transfer or exchange at pleasure, and again to invest the same or any part thereof, in such stocks or funds whenever and as often as said corporation may deem it expedient, or deposit the same with any banking or saving institution, with or without interest for such time, on such terms and under such restrictions as the directors of the said company, for the time being, shall deem most expedient ; and it shall also be lawful for the said corporation to purchase, hold, possess, use, occupy and enjoy all such real estate as shall be necessary for the transaction of its business, or which may be conveyed to said company as security, or in payment for any debts that may be due or owing to the same, or in satisfaction of any judgment of any court of law, or any order or decree of a court of equity in their favor, and the same real estate sell, convey and dispose of in fee simple or otherwise, to any person or persons.

Capital stock.

SECTION 3. That the capital stock of the said the Howard fire and marine insurance company, shall consist of four thousand shares, of one hundred dollars each, to be paid for in such instalments as the board of directors of the said corporation may determine, which said capital may at any time be increased by them, not exceeding six thousand shares, of one hundred dollars each ; and if any subscriber, his or her assignee or transferee shall refuse or neglect to pay any instalment called for and demanded by the directors as aforesaid, such subscriber, his or her assignee or transferee shall forfeit to the said corporation, all their shares or interest therein, unless a failure to pay be in consequence of the death of the party subscribing or holding said stock.

SECTION 4. That the affairs of said corporation shall be managed by twenty directors, to be chosen annually by the stockholders, on the first Tuesday of September of each year, after the year one thousand eight hundred and fifty-five, between the hours of ten A. M. and two P. M., from among the stockholders of said corporation; the directors for the time being shall appoint a president, vice president and secretary of the company and such other officers and agents as they may deem necessary for conducting and executing the business of said corporation; to take bonds in the name of the corporation from all or any of them with security, conditioned for the faithful execution of their several duties, and who shall perform the duties of their respective offices until they shall have been re-elected, removed from office or their successors shall be chosen; the said directors shall allow the persons so appointed such compensation for their services, respectively, as they shall deem reasonable, and generally to exercise all other powers and authority for the well governing and ordering of the affairs and funds of said corporation, as this act confers or allows or as hereafter may be conferred or allowed by the laws, regulations and ordinances of said corporation; in case of death or resignation of any director, the vacancy occasioned thereby shall be filled by the remaining directors.

Directors and their election

Other officers

SECTION 5. That as soon as four thousand shares shall have been subscribed to the capital stock of this company, and five dollars paid in upon each share of stock to a receiver, to be appointed by the incorporators or a majority of them, the incorporators or a majority of them, shall, by an advertisement published in at least three papers published in the city of Philadelphia, notify and call a meeting of the subscribers or their representatives, at some place in the city of Philadelphia, said advertisement to be inserted at least six days preceding said meeting, who shall then proceed to choose twenty directors, all of whom must be stockholders, to serve for the term of one year, and until another election; said election shall be made by ballot, and each subscriber shall be entitled to one vote for each share of stock he has subscribed for, and the persons receiving the highest number of votes shall be duly elected.

Organization.

SECTION 6. That the business of said company shall be conducted in the city of Philadelphia, and the president, secretary, and a majority of the directors shall be residents of the city and county of Philadelphia.

Place of business

SECTION 7. That this corporation shall not exercise any banking privileges, or issue any certificates or other paper to be circulated as bank paper, nor make any contract of insurance unless the sum of ten dollars shall have been paid in upon each share of stock subscribed for.

Banking prohibited.

SECTION 8. That the directors shall, on the first Tuesday in September, in each and every year, cause a balance to be struck of the debts and credits of the company, and if there shall be a surplus, after paying losses and expenses for the year preceding the same, they shall first set aside, out of the said surplus, not exceeding six per cent., on the account of the capital stock, and the remainder of the said surplus shall be divided among the stockholders, in proportion as their amounts of stocks held may bear to the collective sum of stock aforesaid.

Annual account to be settled.

SECTION 9. That within thirty days after the yearly balance aforesaid of the said company shall be struck, the directors shall

Dividend.

cause to be paid to the stockholders, in cash, six per cent. on the capital stock, if their surplus amounts to so much, and for the remainder they shall issue the company's certificate to such stockholders, agreeably to the provisions of the last section, stating the amount of such surplus, which shall be ascertained to be due them on striking said balance; such certificate shall be entitled to a dividend, not exceeding six per cent., to be paid out of the profits thereafter declared by said company.

Withdrawal of profits regulated.

SECTION 10. That the profits of said company shall in no case be withdrawn, except as herein provided, but shall remain liable to all losses and expenses thereof, such liability to be expressed in face of said certificates; and the president and directors shall have, in case of loss, the power to declare a *pro rata* deduction of the amount of the outstanding certificates, and issue new ones in their stead, less the *pro rata* deduction; and no dividend shall be declared, nor certificate issued, nor interest paid, either to stockholders or certificate holders, when the capital stock shall be impaired; nor shall any dividend be paid on certificates of surplus profits, until the said dividend on the stock of the company be first provided for.

Certificates.

SECTION 11. That no certificate shall issue for any sum less than ten dollars, nor for any fractional part of ten dollars; but all such fractional parts, or sum or sums, less than ten dollars, shall be passed to the contingent fund of said company, and applied to the expenses and other charges thereof; the said certificates shall not be transferable, except on the books of the company, and a transfer book shall be kept for that purpose; no certificate shall issue to any person who is indebted to said company, and no transfer shall be permitted so long as the holder is indebted to said company; certificates shall be subject to and bound by any judgment the company may obtain against the holder thereof, and the interest of such holder may be sold under an execution issued on said judgment, as any other species of personal chattel; no certificate shall issue unless claimed within two years after the declaration of the dividend, whereof it is evidence, but the amount thereof shall, at the expiration of that time, be carried to the credit of the company.

Suits.

SECTION 12. That suits at law may be prosecuted and maintained by any member against said corporation, for losses or damages insured against by them, if payment is withheld more than sixty days after the company is duly notified of such losses, and no member of the corporation, not being in his individual capacity a party to such suit, shall be incompetent as a witness.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 354.

A N A C T

To appoint Commissioners to lay out a Road in Juniata and Perry counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John P. Thompson and Jehu M. James, of Juniata county, and Lewis Gilfellow, of Perry county, be and they are hereby appointed commissioners to be sworn or affirmed according to law, to lay out a public road from a point on the public road leading from Dunn's mill to Mifflintown, at or near Hibbsfield, in the county of Juniata; thence to a point on the road leading from Thompsontown to Liverpool, on lands of Christian Coffman, near the bridge over the Cocolamess creek, in Perry county; and the road located and laid out by them, when reported and returned to the quarter sessions of said counties of Juniata and Perry, shall be deemed and taken as a lawful and public road to be opened and made by the said counties as county and township roads, by law, are now opened and made in said counties; and said commissioners are hereby authorized to employ a surveyor, axeman and chain carriers, to survey and lay out the same at a sum not exceeding one dollar and fifty cents per day, and the said commissioners shall be entitled to receive one dollar and fifty cents for every day they may be engaged in viewing and laying out the same, and each of the said counties aforesaid, shall pay their proportional share of the costs of viewing, surveying, and laying out said road: *Provided*, That other state roads rendered useless by the opening of this road, are after the opening of this road declared to be vacated, which said parts the commissioners herein named shall mark and designate.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 355.

AN ACT

For the relief of Joseph Brady, a soldier of the Indian war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized and directed to pay Joseph Brady, of the county of Indiana, a gratuity of forty dollars.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 356.

AN ACT

Relative to the payment of Surveyors in laying out Roads in this Commonwealth

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That any person employed as surveyor to any board of road viewers or reviewers, appointed by any court of quarter sessions of this commonwealth, shall receive two dollars per day for the time necessarily occupied, in surveying, drafting, or making report of roads laid out by order of said courts, to be paid in the same manner as viewers of roads in similar cases: Provided, That this act shall not extend to the city and county of Philadelphia, nor to the county of Dauphin.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 357.

AN ACT

To run and define the line between parts of Huntingdon and Mifflin counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That James H. Galbraith, of Mifflin county, and Jacob Cresswell, of Huntingdon county, be and they are hereby appointed commissioners to run and mark, or re-mark, according to law, that part of the boundary line between the counties of Huntingdon and Mifflin, beginning on the Juniata river, so as to divide equally between the said counties, that part of the road which passes round Blue Rock hill, thence due east until it strikes the Huntingdon and Mifflin county line: Provided, That if a due east course from said point, or beginning, shall intersect the old county line between Huntingdon and Mifflin counties, before it reaches the top of the Black Log mountain, said commissioners are required to follow said old line to the corner of Juniata county; and said commissioners shall lay down on the drafts which they shall make and file in the commissioners' office of each county respectively, the names of the different surveys through which said line passes; and the said commissioners shall make out a just and true account of all the expenses incurred in performance of said duty, together with three dollars per diem to each of said commissioners for and during the time they shall be necessarily employed in running said line, which shall be paid in equal proportions by the said counties of Huntingdon and Mifflin, by the commissioners of the said counties, by warrants drawn on the treasurers of their respective counties.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 358.

A N A C T

To confirm the title of the German Reformed and Evangelical Lutheran churches of Turbutville, in the county of Northumberland, to a lot of ground in Lewis township, in said county.

WHEREAS, Jacob Sechler and Catharine, his wife, by deed dated February thirteenth, one thousand eight hundred and twenty-three, conveyed to Philip Reifsnyder and Peter Mengas, trustees of the German Lutheran church, near Centreville, and their successors in office, meaning and intending thereby the said German Reformed and Evangelical Lutheran churches of Turbutville, in the county of Northumberland, a certain parcel or piece of land, situate in Turbut (now Lewis) township, in said county, containing one acre, strict measure, a full description of which is contained in the said deed, recorded in the proper office at Sunbury, in book V, page ninety-four :

And whereas, In addition to the aforesaid misnomer, the word "Presbyterian" is interlined in three several places, which interlineations were not certified to have been made before the signing and acknowledgment of the said deed ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the aforesaid deed, made the thirteenth day of February, Anno Domini one thousand eight hundred and twenty three, by the said Jacob Sechler and Catharine, his wife, to the said German Reformed and Evangelical Lutheran churches of Turbutville, in the county of Northumberland, shall be held and taken to be good and valid, and of the same force and effect as if the style of the said churches had been correctly stated and set forth, and the interlineations above named had not been made in the said deed, and the title to the said lot of ground be vested and confirmed absolutely in the said German Reformed and Evangelical Lutheran churches of Turbutville, their successors and assigns.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 359.

A SUPPLEMENT

To the act incorporating Shafferstown Academy.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That until trustees are elected of the said academy in the manner now provided by law, George F. Miller, William M. Weigely, Jonathan Zerbe, Allen P. Hibshman, John Weiss, Abram Reist, and Frederick Hoffinan, shall serve as the said trustees, four of whom shall be a quorum to do business.

SECTION 2. That each stockholder shall be entitled to one vote for each share he may hold to the number of fifteen shares, and shall have no more votes for any additional shares he may hold; and the second section, and other provisions in said act, inconsistent herewith, is hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 360.

A SUPPLEMENT

To the act incorporating the Union Mutual Insurance Company of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of the second section of a supplement to the act incorporating the Delaware mutual safety insurance company, approved April ninth, one thousand eight hundred and forty-four, be and the same are hereby extended to the Union mutual insurance company of Philadelphia.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 361.

AN ACT

Authorizing the President and Managers of the Shrewsbury and Hopewell Plank Road Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the president and managers of the Shrewsbury and Hopewell plank road company are hereby authorized and empowered to borrow any sum or sums of money, not exceeding ten thousand dollars, in the name and upon the faith, credit and responsibility of the said company, to be paid in one year or upwards, out of the funds of said company, at any rate of interest not exceeding six per centum per annum; the interest thereon to be paid at such times as may be agreed upon; said loan to be secured by bond, note, mortgage or otherwise: *Provided, That* no bonds shall be issued of a less denomination than one hundred dollars.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 362.

AN ACT

Relative to certain Election Districts.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, the farms of James A. McCahen, and the farm on which William W. Jackson now resides, late the property of Thomas Jackson, deceased, George Buchanan and Thomas B. Buchanan, Blair township, Blair county, shall be attached to and form a part of Gaysport borough election district, in said county, for state and general election purposes.

Gaysport borough
election district,
Blair county, en-
larged.

SECTION 2. That hereafter the qualified voters residing within the following described boundaries of West Brunswick township, Schuylkill county, beginning on the township line of East Brunswick, on the land of Daniel Dreher; thence along a public road leading to Daniel Foust's mill and dwelling, including the same; thence to Zion's church; thence along said public road, leading past the dwelling house of George K. Moyer, including the same; thence along said road until it intersects the township line of North Manheim township, including all the voters residing north of said road, in the township of West Brunswick, aforesaid, shall hereafter at all general and special elections, as also at all elections for judges and inspectors, vote at the same times, places and in the same box with the voters of the borough of Orwigsburg, in the county aforesaid.

Part of West Brunswick township, Schuylkill county, attached to Orwigsburg borough.

SECTION 3. That all the qualified voters residing in that part of West Brunswick township, Schuylkill county, lying and being east of the following described line, shall hereafter at all general, special and at elections for judges and inspectors, vote in the same box with the qualified voters in the borough of Port Clinton, at the house of Samuel Bayer, now occupied by A. D. Savage: commencing at the river Schuylkill, at the lock house of the Schuylkill navigation company, number twenty-four, now occupied by John Lash, including the same; thence in a straight line to the house of Jacob Mengle, including the same; thence to the house of Conrad Mengle, now occupied by Manassas Mengle, including the same; thence to the farm of John Schall, now occupied by Henry Kintzel, including the same; thence to the farm of the heirs of John Bond, deceased, now occupied by George Mengle, including the same; thence to the house of the widow Trenklin, including the same; thence to the farm of Henry Ketner, including the same; thence to the farm of Samuel Miller, including the same; thence to the farm of Benjamin Moll, including the same; thence to the Mineral Point mill, and the dwelling houses belonging thereto, owned by French & Richards, excluding the same; thence to the house of George Baer, excluding the same; thence to the farm of Charles Miller, including the same; thence a straight line to the sand hole at or near the Berks county line.

Part of West Brunswick township, Schuylkill county, attached to the borough of Port Clinton.

SECTION 4. That all those parts of the township of Luzerne, in the county of Fayette, laying within the following boundaries, viz: Beginning at the Bridgeport borough line, on the Monongahela river; thence up said river to the farm of the late Joseph Thornton, deceased; thence east by the farms of William Cattell, Samuel Philips, deceased, Isaac Woodward, Benson Cork and James Wood, Jr., and including the aforesaid farms, to Dunlapp's creek; thence down said creek to the line of the borough of Bridgeport, be and the same are hereby annexed to the Bridgeport election district, in said county, for state and general election purposes.

Part of Luzerne township, Fayette county, attached to Bridgeport election district.

SECTION 5. That all that portion of Nockamixen township, in the county of Bucks, lying east of a line commencing at the mouth of the creek emptying into the Delaware division of the Pennsylvania canal, at or near the Narrowsville hotel, in said township, following the several courses of said creek to Boatman's hill, along the eastern edge of the same to Beaver creek; thence along the several courses of said creek to where the public road crosses said creek at Philip Nices; thence following the said public road to the line dividing said township from

Bridgeton election district, Bucks county, formed.

Tinicum township, at or near the land of Paul Rimer, shall be and the same is hereby formed into an election district, to be called Bridgeton district, of Nockamixen township; and until otherwise ordered, the qualified voters of said district shall hold their elections at the public school house in Bridgeton, in said district; and John Spear shall be the judge, and Brice M. Pursell and William Goddard shall be the inspectors of elections in said district, until an election for such officers shall be held.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 353.

AN ACT

Supplementary to the charter of the borough of York, York county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the twenty-fourth article of the second section of the act, entitled "An act for regulating boroughs within this commonwealth," passed and approved the third day of April one thousand eight hundred and fifty-one, is hereby made a supplement to the charter of the borough of York, in the county of York, and the same shall be from and after the passage of this act, a part of the act of incorporation of the borough of York.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 364.

A SUPPLEMENT

To an act to authorize the Philadelphia, Wilmington and Baltimore Railroad Company to declare and pay dividends of stock in certain cases, approved the twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the act of the general assembly of the state of Maryland, passed May thirty-first, one thousand eight hundred and fifty-three, entitled "An Act to amend the charter of the Philadelphia, Wilmington and Baltimore railroad company," be and the same is hereby sanctioned, ratified and confirmed, and that the right of the said company, to declare dividends in stock or certificates of indebtedness, may be exercised at any special meeting of the stockholders duly convened, and shall be applied to the net profits of any preceding years.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 365.

AN ACT

Authorizing the laying out a State Road leading from Rimersburg, in Clarion county, to the mouth of Mahoning creek, in Armstrong county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That George W. Arnold and John Klingensmith, of Clarion county, and Jeremiah Bonner, of Armstrong county, be and they are hereby appointed commissioners to view and lay out a state road from the borough of Rimersburg, in Clarion county, by way of Lawsonham bridge across Red Bank creek, to the mouth of Mahoning creek, in Armstrong county.*

Commissioners.

Route.

Oaths.

SECTION 2. That it shall be the duty of said commissioners, as soon as practicable, having been first sworn or affirmed before a justice of the peace or other proper officer, to perform the duties enjoined upon them by this act with impartiality and fidelity, which said oath or affirmation shall be filed in his office, by the said justice of the peace or other proper officer, carefully to view the ground and lay out the said road, having respect to the best ground and shortest distance, so as best to promote the public good, and do the least injury to private property, and they shall clearly and distinctly mark upon the ground the route agreed upon, so as to enable the supervisors to readily find the same.

Duties

Location of road.

Drafts

Width.

Damages

Pay of those engaged.

Vacancies.

SECTION 3. That the commissioners shall have authority by this act, to lay out any part of said road on the bed of any road or part of a road, heretofore laid out by authority of law, and they shall make a fair and accurate draft of the location of said road, noting the courses and distances, with a reference to the improvement; one copy whereof shall be deposited in the office of the secretary of the commonwealth, on or before the first day of August next, and one copy in the office of the clerk of the court of quarter sessions of each of the said counties, on or before the said day, and from thenceforth the road shall be to all intents and purposes a public highway, and shall be opened to the width of forty feet, and at a grade not to exceed five degrees from a horizontal line, and shall be made and repaired in all respects as roads laid out by order of court; and the damages sustained by the owners of land, if any, shall be assessed and paid as provided by the act of the thirteenth day of June, Anno Domini one thousand eight hundred and thirty-six, relating to roads and highways.

SECTION 4. That the said commissioners and the surveyor who may be employed as an artist on said road, shall each be entitled to receive two dollars per day, for each and every day they shall be necessarily employed in performing the duties enjoined by this act; and the said commissioners are hereby authorized to appoint two chain carriers and one axeman, at a reasonable compensation, not exceeding one dollar and fifty cents per day, and their accounts shall be registered by the commissioners and paid by the treasurers of the said counties, in the usual manner; and if any vacancy shall occur by resignation or otherwise, the remaining commissioner or commissioners shall have power to supply said vacancy or vacancies by appointment.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 366.

A SUPPLEMENT

To an act, entitled "An Act to prevent the destruction of Trout," to extend to Mifflin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the third section of the act, entitled "An Act to prevent the destruction of trout in the Letart spring, and for the preservation of the same in Cumberland county, and for other purposes," passed the twenty-seventh day of March, one thousand eight hundred and forty-five, be and the same is hereby extended to the tributaries running into the Juniata river, in Mifflin county.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED -The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 367.

AN ACT

To prevent Cattle, Horses and Sheep from running at large in the county of Chester.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the tenth day of May next, all cattle, horses and sheep, belonging to farmers or owners of farms, found running at large or upon the public roads or highways, in the county of Chester, shall be considered in the character of strays, and may be taken up as such by any person, and shall and may be disposed of under the existing laws of this state relating to strays, if such person shall see proper to prosecute the same: Provided,*

LAWS OF PENNSYLVANIA,

That this act shall not apply to any of said animals that may have accidentally escaped from their proper enclosure.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 368.

AN ACT

Relating to the Boundaries of the borough of Pittston, Luzerne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the court of quarter sessions of the peace of the county of Luzerne, may enlarge the boundaries of the borough of Pittston, in said county, on the petition of twenty or more of the resident citizens of the township of Pittston, in said county; Provided, Said court shall be satisfied of the justice of such enlargement.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 369.

A N A C T

For the Relief of Eleanor Jameson.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized and required to pay Eleanor Jameson, of Indiana county, widow of John Jameson, boatman, who was killed on the Allegheny Portage railroad, a gratuity of three hundred dollars: Provided, That the said sum shall be paid to the said Eleanor Jameson, or her children, in annual instalments of fifty dollars each, the first to be paid immediately after the passage of this act.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 370.

A N A C T

For the relief of Catharine Rees, the widow of Philip Rees, a soldier in the Revolutionary war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized and directed to pay to Catharine Rees, of Crawford county, the widow of a soldier of the Revolutionary war, or to her order, a gratuity of forty dollars, and an annuity of forty dollars during the term of her natural life, commencing on the first day of January, Anno Domini one thousand eight hundred and fifty-five, and payable half yearly thereafter, on the first day of January and July.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 371.

AN ACT

To lay out a State road from Rochester, Beaver county, to the Perrysville and Zelienople plank road, in Butler county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Commissioners. Francis Reno, Christian Black, of Beaver county, and Daniel Otto, of Butler county, be and they are hereby appointed commissioners to run and lay out a state road from the borough of Route. Rochester, in Beaver county, by the way or near the Great Knob, to a point of intersection with the Pittsburg and Zelienople plank road, in Butler county, at a grade not exceeding four degrees; and it shall be the duty of said commissioners to meet on or before the first day of July next, and after being Oaths. sworn or affirmed by some justice of the peace faithfully to perform the duties enjoined upon them by this act, to proceed to view and explore the route between the points aforesaid, and determine upon the best and most favorable route, having regard to public benefit, economy and convenience.

SECTION 2. That said commissioners shall survey the route, Locate and mark road. locate, and plainly mark a central line for a road forty feet in breadth, and within thirty days after completion of the same, Drafts. make out separate drafts thereof, whereon shall be noted courses and distances, improvements, streams, warrant, county, and township lines, and all sections of pre-existing roads, which may be adopted as part, or be in part substituted or vacated; one copy whereof shall be filed in the office of the secretary of the commonwealth, and another in each of the courts of quarter sessions of said counties, and from the time of so filing in said courts, the road so laid and returned shall be to all intents and purposes a public highway, and opened, constructed and repaired as hereinafter provided; and the substituted sections, if any, expressly so returned, be and remain vacated.

SECTION 3 That if any vacancy should occur, by declination Vacancies. or otherwise, in the board of commissioners, the remaining members shall call to their assistance a suitable person, who, when sworn as aforesaid, shall have the same power as if hereby appointed.

SECTION 4. That the compensation of said commissioners Pay of those engaged. shall be one dollar and fifty cents per day, with one dollar and fifty cents additional for those of the board who may perform the duties of surveyor, together with one dollar per day for each of the chainmen and axemen necessary therein, which account shall be settled by the commissioners of the proper county in proportion to the time employed in each, and paid by orders on the county treasurer as usual.

SECTION 5. That it shall be the duty of the supervisors, Road to be opened on notice. road commissioners, of the several townships through which this road shall be laid, upon due notice given in writing by any person interested in its use, to proceed without delay to

the opening and construction of the same to extent of the means at their command, and in case of failure so to do, the said officers shall be subject to all the penalties and forfeitures under existing laws, for disregard of duty in making and repairing of public highways; and furthermore, to secure sufficiency of means for construction, it is hereby directed, that all road taxes charged on any unseated tract which may be upon the line of this road, or whose nearest limit may reach within one mile of it, shall, if their respective owners offer so to do, be worked out by them, or those they may employ in construction thereof, under the same rules and regulations as applied to taxes upon seated property within said townships, and continue so to do for successive years, until the road shall be made passable through the respective township or county in good condition, not to extend, however, beyond six years taxation: *Provided*, That the owner or owners of such lands shall within six months after the passage of this act, notify the proper township officers of his or their desire to so appropriate such road taxes, particularly describing the several tracts so taxed, with diagram of the road and tracts, giving quantities and distances, upon oath of the party so applying.

Penalty for neglect.

Road taxes may be worked out.

Proviso.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAMES POLLOCK.

No. 372.

A SUPPLEMENT

To the act, entitled "An Act to incorporate the Allegheny and New Brighton Plank Road Company," approved twenty-fifth of May, Anno Domini one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Allegheny and New Brighton plank road company be and are hereby authorized to construct their road at a grade not exceeding three and one-half degrees; that the capital stock may be increased eight thousand dollars; that the company have power to macadamize any portion of the said road that may be agreed on by a majority of the board of directors at a meeting being held for that purpose, due notice being given in one newspaper in the city of Pittsburg; and that so much of the said act granting the company power to locate said road on any other

route other than the Allegheny and New Brighton state road, be and the same is hereby repealed, except so far as it conflicts with the surveyed route at Hugh Carson's point and E. W. Cooks; and that said company shall commence the construction of said road at the Allegheny city line; and when two miles have been completed, toll may be collected as directed by the charter of said company.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 373.

A SUPPLEMENT

To the act incorporating the Ephrata Monument Association, of the county of Lancaster.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Joseph Konigmacher, Jacob L. Gross, William Spera, Jeremiah Mohler, John G. Bauman, Jeremiah Banman, Adam Konigmacher be and they are hereby constituted a board of trustees to take charge and manage the affairs of the Ephrata Monument association, in accordance with the provisions of the act, approved the twenty-fourth day of February, one thousand eight hundred and forty-five, incorporating said association, and that all the powers and duties enjoined by said act on the directors, be vested in said trustees.

Trustees

SECTION 2. That all vacancies occurring in said board, by death, resignation or non-attendance, may be filled by said board of trustees.

Vacancies

SECTION 3. That so much of the provisions of the act to which this is a supplement, that is inconsistent with the provisions of this act, be and the same is hereby repealed.

Repeal

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 374.

AN ACT

Authorizing the Supervisors of Derry township, Westmoreland county, to lay out and construct a certain Road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the supervisors of Derry township, Westmoreland county, are hereby authorized to lay out and make a township road from the Broad fording to Bairdstown, in said county, along and near the towing-path of the Blairsville slackwater, notwithstanding the ground upon which said road may be located, or any part of it, belongs to the commonwealth: Provided, That said road shall in nowise interfere with the free use and enjoyment of said towing-path.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 375.

AN ACT

To appoint Commissioners to run and mark the Boundary Line between the counties of M'Kean and Elk.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That John R. Chadwick, of M'Kean county, Alonza I. Wilcox, of Elk county, and Andrew H. Ludlow, of Warren county, are hereby appointed commissioners with authority to survey, ascertain and mark the boundary lines between the counties of M'Kean and Elk.*

SECTION 2. That it shall be the duty of the said commissioners, having first taken and subscribed an oath or affirmation before a justice of the peace, that they will go upon the ground and carefully ascertain and mark the dividing lines which

Duty to mark
lines

separates the counties of M'Kean and Elk, with impartiality and fidelity, and perform all the duties enjoined on them by this act, to run and mark said lines so as to accord as nearly as practicable, with the acts of assembly directing the manner in which said lines shall be run, having reference to third section hereof.

East and West
to be run.

SECTION 3. That it shall be the duty of said commissioners to run the east and west line between said counties on the line of the original warrants, in such manner that each county shall have within its limits, as nearly as may be, the quantity of land embraced by the acts of assembly referred to in the second section of this act; which lines so run and marked, shall be the boundary lines dividing the said counties.

Permanent marks
to be made on the
ground

SECTION 4. That it shall be the duty of the said commissioners, or any two of them, on or before the first day of December, one thousand eight hundred and fifty-five, to survey and mark said lines upon the ground by distinct and permanent marks, wherever and as often as the same crosses any public road or highway, and at other convenient distances on said line; and to make two drafts of the same, certified under their hands and seals, and verified by their oaths or affirmations, with the courses and distances plainly laid down, and as far as may be practicable, with the lines of the surveys of the tracts of land along which the same may pass, laid down thereon; one of which they shall deposit in the office of the recorder of deeds of each of said counties, as soon thereafter as practicable, which shall be entered of record.

Drafts.

Pay of those en-
gaged.

SECTION 5. That the said commissioners shall receive, as a compensation for their services, the sum of three dollars per day each, for and during the time they shall be actually engaged in the discharge of their duties; and shall have authority to appoint two chain-carriers, one axe-man and such other assistants as shall be actually necessary to carry out the intentions of this act, each of whom shall receive one dollar and fifty cents for their services, for each day actually engaged; and all the aforesaid expenses shall be paid in equal proportions by the said counties.

Vacancies, how
filled

SECTION 6. That in case of the declination or disability of either of the two first named commissioners, the remaining two commissioners shall select a suitable person, from the county in which the person resided who caused the vacancy; and in case of the declination or disability of the last named commissioner, the court of common pleas of either of said counties shall, on petition, appoint some competent person to serve in his stead, who shall be a practical surveyor, and not a resident of either of said counties.

Titles not to be
affected

SECTION 7. That this act shall not in any manner affect the titles to any lands along said line heretofore acquired, by tax, sale or otherwise, but the same shall be determined in the same manner as if this act had not been passed.

HENRY K. STRONG,
Speaker of the House of Representatives

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 376.

A N A C T

To authorize and establish a Teachers' Institute in the county of Chester.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the superintendent of common schools in the county of Chester be and he is hereby authorized and required, once in every year, at the most eligible season, to call upon and invite the teachers of the common schools and other seminaries of learning in said county, by means of public notice in two or more newspapers of the county, to assemble at the court house, or after the first meeting, at such place within the county as a majority of the teachers present may elect, for the purpose of organizing a 'Teachers' institute, to be devoted to the improvement of teachers in the science of education; and said institute may continue to hold its several annual sessions for a period not longer than one week in each year.

Notice to teachers.

SECTION 2. That said institute shall be organized by the superintendent taking the chair, or if he be necessarily absent, by designating some teacher to preside, and the members present appointing two secretaries and a treasurer.

Organization.

SECTION 3. That for the purpose of defraying the necessary expenses of the said institute, in procuring the attendance of lecturers for each annual meeting, the chairman thereof shall be empowered to draw his warrant upon the county treasurer, in favor of the treasurer of the institute, for any sum actually expended in behalf of said institute, not exceeding two hundred dollars; and the treasurer of said county of Chester is hereby required to pay the same out of any money in the county treasury.

Expenses how paid.

SECTION 4. That no money shall be paid out by the treasurer of the institute, except upon the written order of the chairman thereof.

Institute funds how expended.

SECTION 5. That the treasurer of the said institute shall report the amount of all expenditures under this act to the county treasurer, with vouchers for the same, which shall be examined by the auditors of the county, in like manner as other county expenditures, and any misapplication of funds shall be punished in the same manner as collectors of state or county taxes for like offences are now punishable.

Annual report to be made by treasurer.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 377.

SUPPLEMENT

To an act, entitled "An Act authorizing the Governor to incorporate a Company for making an Artificial Road from the north end of the bridge over Clarke's creek, on the road leading from Harrisburg to Sunbury, across Peter's mountain, to the south end of the bridge over Powell's creek, on the said road, in the county of Dauphin"

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the office of the Peter's Mountain turnpike road company shall continue to be located and kept in the borough of Harrisburg: and it shall be the duty of the treasurer and secretary of said company to continue to keep the books and papers of the said company in said office, subject and open to the inspection and examination of the stockholders, and all persons interested therein; and all transfers of stock, payments of dividends, meetings of the board of managers, and all elections of officers of the said company, shall hereafter be made and held at the said office: Provided, That no stockholder shall be entitled to more than one vote at any such election.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 378.

A FURTHER SUPPLEMENT

To the act incorporating the Upper Lehigh Navigation Company, passed March fourteen, one thousand eight hundred and forty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the seventh section of the act, entitled "A supplement to the act incorporating the Luzerne and Schuylkill railroad company; relative to the Upper Lehigh navigation company; conferring additional powers upon the district court of Allegheny county;*

relative to the pay of sheriff and jailor of Luzerne county ; to erect market houses in the district of the Northern Liberties, and to Jervis street, in the district of Southwark," be and the same is hereby repealed ; and that the toll chargeable under the fifth section of an act to improve the navigation of the Lehigh river, in the counties of Monroe and Luzerne, passed the fourteenth day of March, Anno Domini one thousand eight hundred and forty, are hereby declared to apply to all descriptions of manufactured or unmanufactured timber: *Provided*, That toll shall not be charged upon unmanufactured lumber, ready to be floated at the time of the passage of this act: *And provided further*, That no right in existence prior to the passage of this act, shall be affected hereby: *Provided*, That no suits now pending in the counties of Luzerne or Monroe shall in any manner be affected by the passage of this act.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 379.

A FURTHER SUPPLEMENT

To the act erecting the town of Birmingham, in the county of Allegheny, into a borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the northern boundary of the borough of Birmingham, in the county of Allegheny, shall be the low-water line of the Monongahela river ; and the mouths of all streets terminating at said river, in the aforesaid borough, shall forever hereafter be occupied, used and employed as public landings. Northern boundary of Birmingham.

SECTION 2. That the burgess and town council of said borough be and they are hereby authorized to fix and adopt convenient grades for, and improve the said landings, and to make such rules, regulations and by-laws, regulating the use of the same, as they may think proper, and shall not be inconsistent with the existing laws of this commonwealth ; to appoint a wharf-master, and to direct and enforce the collection of such fees, tolls and duties in the nature of wharfage as they may deem just and expedient, and to exercise in every respect, over the said public streets and landings, such other powers and authority which they may or can exercise by law over the other public streets within the borough aforesaid. Public landings.
Improvement of landings.
Wharf master, tolls, &c.

Paving to be a
lien on real es-
tate

SECTION 3. That the cost and expenses which shall hereafter be incurred in the paving any street, lane, alley or footway, or any parts thereof, in said borough, in pursuance of the act of April eighth, one thousand eight hundred and forty-eight, or the act of twentieth of March, one thousand eight hundred and forty-nine, shall be a lien upon the real estate, chargeable with the said costs and expenses, from the time of the order of the town council to have the said paving done, until it shall be fully paid and satisfied.

Proceedings to re-
cover paving
liens

SECTION 4. That whenever any certificate of the costs and expenses of paving in front of any lot or lots shall be filed, by order of the council of said borough, in the office of the prothonotary of the court of common pleas, as directed by the acts aforesaid, the same shall be recoverable, with costs, by writ of *scire facias*, in the corporate name of said borough, as debts secured by mortgage are now by law recoverable; and in case the name or names of the owner or owners of any lot or lots of ground liable, or which shall hereafter become liable, for any cost and expenses of any paving done, or to be done by order of the said town council, is or shall be unknown to the burgess of said borough, that fact shall appear in the certificate, (which the said town council is hereby authorized to file, as aforesaid,) opposite to the description of the property the owner or owners of which is or are unknown to said burgess; and in said certificate shall be set forth such description of the property as shall be sufficient to identify the same, the street or alley on which it is situate, and the number of feet it fronts and abuts on the street or alley paved; and upon the filing of such certificate in the office of the prothonotary of the court of common pleas of Allegheny county, the sum mentioned therein, together with costs, shall be recovered by writ of *scire facias* against the property, in the corporate name of said borough, as debts secured by mortgage are now by law recoverable, which writs shall be served by the sheriff posting the same on such lot or lots charged, at least ten days before the return day of the writ; and no return of a wrong name or names as owner or owners, or misnomer in any certificate which shall be filed, as directed by this act or the acts to which this is a further supplement, shall prevent the *scire facias* mentioned from issuing to the real owner or owners; and no informality or defect in any certificate, or misdescription of any property therein contained, shall vitiate it, but the same may be altered or amended on application to said court for that purpose.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 380.

AN ACT

To improve the Turnpike Road from Indiana to Kittanning.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the court of general quarter sessions of the peace in the county of Indiana, at its sessions in June next, and every three years thereafter, during the continuance of this act, and at such other times as the provisions of this act may require, to appoint a suitable person as superintendent of that part of the turnpike road from Indiana borough to Kittanning, which lies between the said borough of Indiana and the Armstrong county line, who shall give bond with such security as the said court may direct, conditioned for the faithful performance of the duties of said appointment; and who shall hold his said situation for the term of three years, unless removed by the said court for neglect of duty or misbehavior in office, in the manner hereinafter provided for.

Superintendent
of Indiana and
Kittanning turn-
pike to be appointed.

SECTION 2. That upon the appointment of the said superintendent, he shall take the charge and control of the said portion of the turnpike road aforesaid; shall erect toll-houses and toll-gates where necessary, not exceeding two on said road; shall perform the same duties, possess the same powers, receive the same remuneration, exact the same tolls, and no more, and be subject to the same responsibilities, penalties and liabilities, and the said court shall have the same jurisdiction and authority as is provided for by the act of the general assembly, approved the twenty-second day of February, one thousand eight hundred and fifty-four, entitled "An Act providing for the repair of the Olean road, in Indiana county."

Powers and du-
ties of superin-
tendent.

SECTION 3. That unless it shall hereafter be provided otherwise, this act shall continue and be in force until the first day of February, one thousand eight hundred and sixty-five, and the same shall so remain in force, unless also the company claiming the said road shall pay to the supervisors of the several townships through which it passes, the amounts now due them for keeping up and repairing said road, according to the provisions of the act of assembly, approved the nineteenth day of April, one thousand eight hundred and forty-four, and shall moreover pay to the treasurer of Indiana county, for the use of said county, all sums of money which may be expended under the provisions of this act in the improvement of said road.

Act to continue
in force until first
February, 1865.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 381.

A N A C T

To prohibit Hawking and Peddling certain articles in the county of Venango without license.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* all pedlers of stoves and hollow-ware, all pedlers of ready-made clothing, all pedlers of watches and jewelry, in the county of Venango, shall each pay to the treasurer of said county, for the use of said county, the sum of fifty dollars annually, for license to peddle the same, and the receipt of said treasurer, for said fifty dollars, specifying the kind of article to be peddled, shall be a sufficient license to peddle the same.

Peddling in
Venango county
regulated

Penalty for vio-
lating this act.

SECTION 2. That any person or persons who shall peddle in Venango county the articles mentioned in the first section of this act, or any or each of said articles, without having first paid the said license of fifty dollars for each of said articles, as the case may be, shall forfeit and pay the sum of one hundred dollars, for the use of said county, to be recovered before any justice of the peace of said county: *Provided however, That this law shall not apply to persons who may peddle the said articles which has been or shall be manufactured in said county of Venango.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 382.

A N A C T

To establish the Boundary Line between the counties of Union and Mifflin

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John Swartzell and William Brothers, of Mifflin county, and

Henry Motz and Ner Middleswarth, of Union county, be and they are hereby appointed commissioners to run and mark, or re-mark, according to law, the boundary line between the counties of Union and Mifflin; and it shall be the duty of said commissioners to lay down on their drafts the tracts of land through which the line may pass, so far as they are able to ascertain the same, agreeably to the act of assembly, and supplements thereto, erecting said counties; and the said commissioners shall make out three drafts of said line, one of which shall be filed in the commissioners' office of each of the said counties, and the other to be filed in the surveyor general's office, and there kept as a matter of record; and the said commissioners shall each receive the sum of three dollars for each and every day they may be necessarily employed in performing said duties, together with all necessary expenses for chain-carriers and axe-man to assist them, one-half of which shall be paid by each of said counties, by the order of the county commissioners drawn on the county treasurer.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 383.

AN ACT

Extending the right of Trial by Jury to certain cases.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That in all cases that may hereafter arise under the act of assembly regulating railroad companies, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, any party or parties who may be aggrieved by the report or award of viewers appointed under said act, may at any time, within thirty days after the confirmation of such report, appeal from the same to the court of common pleas by which said viewers were appointed.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 384.

A SUPPLEMENT

To the act, entitled "An Act to incorporate the Larry's Creek Plank Road Company."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Larry's Creek plank road company is hereby authorized and empowered to erect gates on the bridge owned by said company, erected over Little Pine creek, at the western terminus of said road, and demand and receive toll, at not exceeding the following rates, to wit: For every score of sheep, six cents; for every score of hogs, ten cents; for every score of cattle twenty cents, and so in proportion for any greater or less number; for every horse or mule, five cents; for every horse and rider, six cents; for every foot passenger, two cents; for every sulky, chair or chaise, with one horse and two wheels, eight cents; for every chariot, coach or chaise, with two or more horses and four wheels, ten cents per horse, and for every carriage of pleasure the like sum, under whatever name it may pass; for every sleigh, eight cents for every horse drawing the same; for every sled, six cents for each horse drawing the same; for every lumber wagon or cart, eight cents for every horse drawing the same; in all cases a mule to be rated as a horse, and two oxen shall be considered equal to one horse: Provided, That no toll shall be collected from any persons attending churches, schools, funerals or going to or returning from militia trainings.*

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 385.

A SUPPLEMENT

To the act, entitled "An Act to incorporate the Strasburg Railroad Company,"¹³ approved the eleventh day of February, Anno Domini one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That in all elections that may hereafter be held by the Strasburg railroad company, under the provisions of the act to which this is a supplement, the chief burgess of the borough of Strasburg be and he is hereby empowered to cast one vote for every share held by said borough in the capital stock of said company.*

Voting at elections, regulated.

SECTION 2. *That at the next, and all future annual elections for officers of the Strasburg railroad company, seven members only shall be elected to serve as president and directors, who shall have the same power and authority as is invested in the president and directors of said company by the act to which this is a supplement.*

Number of directors limited.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 386.

AN ACT

To extend the Charter of the Bank of North America.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the charter of the Bank of North America, with its present capital of one million of dollars, divided into shares of one hundred dollars each, is hereby extended for the period of twenty years, from and after the expiration of the present charter of the said corporation; the affairs of the said corporation shall continue to be conducted by the same number of directors as heretofore,*

to be elected as heretofore, on the first Monday of January in each year, who shall assemble on the Tuesday succeeding such election to choose one of their number president of said corporation; the stated general meetings of the stockholders of the said corporation, shall be held on the first Monday of January in each year, and the semi-annual dividends of the profits may be declared as heretofore on the first Monday of January and July; in all other matters, except those herein provided for, the said corporation shall be subject to the provisions, restrictions and conditions, and be invested with the rights, privileges and immunities mentioned and contained in the act of the general assembly of this commonwealth, entitled "An Act regulating banks," passed the sixteenth day of April, Anno Domini one thousand eight hundred and fifty, and the several supplements thereto.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 387.

AN ACT

To amend certain defects of the law for the more just and safe transmission and secure enjoyment of real and personal estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever hereafter by any gift, conveyance, or devise, an estate in fee tail would be created according to the existing laws of this state, it shall be taken and construed to be an estate in fee simple, and as such shall be inheritable and freely alienable.

Estates in fee tail declared to vest a fee simple.

Descents among collaterals.

SECTION 2. That among collaterals, when by existing laws entitled to inherit, the real and personal estate shall descend and be distributed among the grand-children of brothers and sisters, and the children of uncles and aunts by representation, such descendants taking equally among them such share as their parent would have taken if living.

Illegitimates to take their mother's name and she and they be capable to inherit from each other.

SECTION 3. That illegitimate children shall take and be known by the name of their mother, and they and their mother shall respectively have capacity to take or inherit from each other personal estate as next of kin, and real estate as heirs in fee simple; and as respects said real or personal estate so taken

and inherited, to transmit the same according to the intestate laws of this state.

SECTION 4. That in any proceeding in any court for the partition of real estate, the court may appoint, on the agreement and nomination of the parties, three or more commissioners to divide or value the same, with the same effect as a sheriff's inquisition for the same purpose, and decree a compensation for such service not exceeding three dollars a day each, unless the parties interested shall have agreed in writing to a larger recompense. Proceedings in partition.

SECTION 5. That under the act of the eighteenth day of April, one thousand eight hundred and fifty-three, entitled "An Act relating to the sale and conveyance of real estate," whenever the estate shall have been derived partly by deed and partly by descent or will, either the court of common pleas or the orphans' court may entertain jurisdiction of the proceeding to make sale or lease thereof. What court shall have jurisdiction.

SECTION 6. That hereafter in all cases where there has been a continuous possession of lands or tenements for thirty years, it shall be presumed as between the parties litigant, other than the commonwealth, that the title thereof shall have been parted with by the commonwealth; and wherever the title to real estate might have been claimed by the commonwealth as unlawfully held by any corporation, and the same shall have passed into the hands of a purchaser who shall have held the same for twenty-one years, without inquisition made in behalf of the commonwealth, the title of such purchasers, their heirs and assigns, shall be deemed indefeasible as to any such claim by the commonwealth. Presumption from thirty years continuous possession.
Title to certain real estate validated by twenty-one years possession.

SECTION 7. That in all cases where no payment, claim or demand shall have been made on account of, or for any ground rent, annuity or other charge upon real estate for twenty-one years, or no declaration or acknowledgment of the existence thereof shall have been made within that period by the owner of the premises, subject to such ground rent, annuity, or charge, a release or extinguishment thereof shall be presumed, and such ground rent, annuity or charge shall thereafter be irrecoverable: *Provided*, That the evidence of such payment may be perpetuated by recording in the recorder of deed's office of the proper county, the duplicate of any receipt therefor, proved by oath or affirmation to be a true copy of that signed and delivered in the presence of the payer, and witnessed at the time by the deponent, which recorded duplicate, or the exemplification of the record thereof, shall be evidence until disproved; and the evidence of any such claim or demand may be perpetuated by the record of any judgment recovered for such rent, annuity, or charge, in any court of record, or the transcript therein filed of any recovery thereof by judgment before any alderman or justice of the peace, which records and judgments shall be duly indexed: *Provided*, That this section shall not go into effect until after three years from the passage of this act. Ground rents, annuities, &c.
Proviso.
Proviso.

SECTION 8. That it is hereby declared to be lawful for every lessee, for term of years, of any colliery, mining land, manufactory, or other premises, to mortgage his or her lease or term in the demised premises, with all buildings, fixtures and machinery thereon, to the lessee belonging and thereunto appurtenant, with the same effect as to the lessee's interest and title, as in the case of the mortgaging of a freehold interest and title as Lessee may mortgage their leases.

Proviso.

to lien, notice, evidence and priority of payment: *Provided*, That the mortgage be in like manner acknowledged and placed of record in the proper county, together with the lease, and that such mortgage shall in nowise interfere with the landlord's rights, priority or remedy for rent; and such mortgages may

Proviso.

be sued out as in other cases: *Provided*, That this section shall in nowise impair the act of fifth of April, one thousand eight hundred and fifty-three, entitled "An Act to authorize mortgages of coal leases in Schuylkill county."

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 388.

A SUPPLEMENT

To the act to erect part of Norwegian township, in Schuylkill county, into a new township, and for other purposes, approved the eighth day of March, one thousand eight hundred and forty-seven.

Thirteenth section of former act re-enacted and extended.

Election to be held.

Return made.

Notice of election.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the provisions of the thirteenth section of the act to which this is a supplement, shall be and the same are hereby extended to, and re-enacted in respect of Paradise and Jackson township, in the county of York, with like effect, and in the same manner as the said section related and applied to Bethel and Washington townships, in the county of Lebanon: *Provided*, That the election to be held in pursuance of this act, shall be held on the second Tuesday of October next, at the time and place fixed by law for the general election on said day, in Paradise township: and shall be conducted by the officers who shall conduct the said general election; and the return shall be made to the court of quarter sessions of said county of York: *And provided further*, That notice of the said election shall be given by the constable of Paradise township, or in case of his death, absence or other inability, by the supervisors of said township, by affixing ten or more printed or written advertisements at as many of the most

public places in said township of Paradise and Jackson, at least ten days prior to said election.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-eighth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 389.

A N A C T

To provide for the election of an additional Supervisor in Granville township, Mifflin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the township of Granville, in Mifflin county, be and is hereby districted and divided into three parts, for road purposes, as follows, to wit: All that part of said township, on the south side of the Juniata river to constitute and form one district or division; all that part of said township on the north side of said Juniata river, and south of Barren ridge, (so as not to include the Ridge road, nor the road leading from the top of said ridge to James M'Curdy's,) one other district or division, and all that part of said township north of said Barren ridge, and including the road along the top of the said ridge, to where it crosses Strode's run and the road from the top of said ridge to James M'Curdy's, a third district or division.

Granville township divided for road purposes.

SECTION 2. That it shall be lawful for the qualified electors of each of said districts or divisions, annually hereafter, at the time and place of holding the spring election for said township, to elect one supervisor for their respective districts, who shall be a resident of the district for which he is elected, and whose duty it shall be to assess and collect the road taxes and open and keep in repair the roads in his proper and respective district: *Provided,* That the taxes assessed and collected for road purposes, in each district, be applied to the opening and keeping in repair the roads laid out within such district, and not to the roads in any other part of said township.

Three supervisors to be elected.

Proviso.

SECTION 3. That the supervisors elected as provided for in the second section of this act, shall possess all the authority, and perform all the duties in their respective districts, and be liable to all the penalties that the supervisors of townships possess and are subject to under the laws of this Commonwealth.

Authority and duties of supervisors.

SECTION 4. That the supervisors elected for the said township of Granville, at the last spring election, shall act as supervisors

Location of supervisors.

for the respective district in which each may reside; and the court of quarter sessions of Mifflin county is hereby authorized and directed to appoint some suitable person as supervisor for the district in which neither of those so elected resides, who shall perform the duties prescribed in this act until the next election for township officers.

Vacancies

SECTION 5. That any vacancy occurring at any time in any of said districts, by death, resignation, or removal from the district, shall be supplied by the court of quarter sessions of Mifflin county, until the next spring election thereafter.

Repeal

SECTION 6. That the fourteenth section of the act of assembly, entitled "An Act authorizing the laying out of a state road from a point on the public road leading up Mill creek, at or near John G. Miles' saw mill, in Huntingdon county, to intersect the public road leading from the mouth of Mill creek through Kishacoquillas valley to Brown's mills, in Mifflin county; incorporating the Sullivan and Bradford plank road company; relative to the claim of Benjamin Bonsall; to an election district in Mifflin county; and to the collection of school tax in Beale township, Juniata county," approved the fourteenth day of April, Anno Domini, one thousand eight hundred and fifty-one, be and the same is hereby repealed.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

We do certify, that the bill, entitled "An Act to provide for the election of an additional supervisor in Granville township, Mifflin county," was presented to the governor on the twelfth day of April, one thousand eight hundred and fifty-five, and was not returned within ten days (Sundays excepted,) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

ADIN W. BENEDICT,

Clerk of the House of Representatives.

GEO. W. HAMERSLY,

Clerk of the Senate.

HARRISBURG, April 28, 1855.

No. 390.

AN ACT

To erect the village of Cherry Tree into a borough.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

all those parts of the counties of Indiana, Cambria and Clearfield lying and being in the following boundaries, to wit: Beginning at the north end of the bridge across Cushion creek, on the Indiana road, in Green township, Indiana county; running thence in a northerly direction, in a straight line, to the south-east corner of James Patrick's land, on the purchase line, and thence along the east line of said Patrick's land to the north-east corner thereof, adjoining the line of John Eason, in Montgomery township; thence north fifteen degrees east until it intersects the Mahoning road, on the north line of John Eason's farm, and continue on in the same direction ten rods to a post on the premises of Parsons Coe; thence running easterly in a straight line, across the Indiana and Clearfield county line, to the north-east corner of the town of New Lancaster, in Burnside township, Clearfield county; thence south twelve degrees east along the eastern line of said town, and continuing in the same direction across the Cambria county line, until it intersects the Hollidaysburg road near the house of D. K. Kinports, in Cambria county; thence due west to the Susquehanna river, in same county, and thence in a straight line to place of beginning, be and the same is hereby erected into a borough, to be called the borough of Cherry Tree.

Boundaries of borough.

SECTION 2. That all those portions of the above described boundaries, lying within the counties of Clearfield and Cambria, be and the same are hereby detached from the said counties, and attached and annexed to the county of Indiana.

Parts of Clearfield and Cambria attached to Indiana county.

SECTION 3. That from and after the passage of this act, the said borough shall form a separate election and school district.

Election and school district.

SECTION 4. That at the first election held under this act, the citizens of said borough shall elect one burgess, six councilmen, six school directors, two of whom shall serve for one year, two for two years and two for three years; three auditors, one of whom shall serve for one year, one for two years and one for three years; two overseers of the poor, one supervisor, one justice of the peace, one constable, who shall act as high constable, and one assessor; also, one judge and two inspectors of elections, all of whom must be citizens of the said borough, and have resided therein at least one year.

Election of burgess, council, &c.

SECTION 5. That the first election for borough officers shall be held at the school house, in said borough, on the first Tuesday of June next, and an election held annually thereafter, but that previous to said election, the citizens of said borough shall choose one citizen, who shall act as judge, and two citizens who shall act as inspectors, one of whom shall act as clerk of said election; and the said election shall be conducted throughout according to the general election laws of this commonwealth, and the certificates required by the general election laws made out and filed among the records of the borough.

When election to be held.

SECTION 6. That all inhabitants of the borough who are entitled to vote for members of the general assembly, and have resided within the limits of the borough for at least six months immediately preceding the election, shall be entitled to vote for borough officers.

Electors.

SECTION 7. That all officers of said borough, before entering on the duties of their respective offices, shall take and subscribe an oath or affirmation, before any judge or justice of the peace of said county, to support the constitution of the United States and the state of Pennsylvania, and to perform the duties of

Borough officers to be sworn.

his office with fidelity, and the certificate shall be filed among the records of said borough.

Enumeration for
school purposes.

SECTION 8. That the school directors first elected under the provisions of this act shall, immediately after their election, cause to be made an enumeration of the resident taxable inhabitants of said borough, and the president of the board of directors shall certify the same to the superintendent of common schools, who is hereby directed to adopt the number of taxable so certified to him, as a basis of distribution to said borough of its share of the state appropriation.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 391.

AN ACT

Relative to Criminal Courts in Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the courts of general quarter sessions of the peace, and the courts of oyer and terminer and general jail delivery, to be holden in and for the county of Schuylkill, shall commence on the first Monday of the several terms of the courts for said county, to continue three weeks, if necessary; and the venire and other process issued out of said courts of general quarter sessions of the peace, and courts of oyer and terminer and general jail delivery for said county, shall be made returnable accordingly; and all recognizances entered into before any justice of the peace for said county, by any person charged with the commission of any crime, (except such cases as may be ended before a justice of the peace under the existing laws,) shall be returned in accordance with the provisions of the act of assembly relative thereto, approved the twenty-second day of April, one thousand eight hundred and forty-six.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 392.

AN ACT

Authorizing the Select and Common Councils of the city of Reading to purchase, for the use of the said city, the works of the Reading Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Reading gas company incorporated by an act of assembly approved the eighth day of February, one thousand eight hundred and forty-eight, is hereby authorized and empowered to grant, bargain, sell and dispose of to the mayor, aldermen and citizens of Reading, who are hereby authorized to purchase the same, all the lands, tenements and hereditaments, goods and chattels, and all the estate real and personal and mixed, of what kind or quality soever, of the said company, and to make all necessary deeds and assurances in the law therefor, at and for a price to be ascertained, determined and paid as hereinafter directed: *Provided,* That the consent of a majority, in number and interest, of the stockholders of said company shall be first had and obtained.

Reading gas company authorized to sell works.

Proviso.

SECTION 2. That after the consent of the stockholders, as aforesaid, shall have been obtained in writing, and notice thereof duly given, the select and common councils of said city shall within ninety days thereafter either accept or refuse to purchase the same, and if they shall decide to accept, the said parties shall determine and agree upon the price to be paid therefor, and in the event of an inability so to agree, then it shall be the duty of the said councils and the said company, respectively, to appoint two impartial, disinterested and competent persons each, who, with an umpire to be chosen by said councils and company conjointly, or in the event of disagreement, by the other appraisers, shall constitute a jury of appraisement, whose duty it shall be to make a just and fair valuation and appraisement of all the works and property aforesaid, and to make return thereof in writing, which shall be final and conclusive between the parties, whereupon it shall be the duty of said councils, within thirty days thereafter, and upon the delivery of the necessary deeds and assurances from said company, to pay or cause to be paid, either in bonds or cash as may be determined, the amount fixed in said valuation and appraisement.

Councils to accept or refuse to purchase within ninety days after notice.

Provision in case of disagreement as to price.

SECTION 3. That from and after said transfer, the mayor, aldermen and citizens of Reading shall have and possess all the rights, liberties and franchises of said company whatsoever, and especially for the manufacture and sale of gas for the purpose of lighting the streets, buildings and factories and other places in said city, and to make and enter into all necessary contracts and covenants in relation thereto; and to make such rules and regulations, and to pass such ordinances for the management and protection of said works, and the supply of gas as aforesaid, as may be requisite.

City to have all the rights and powers of the gas company.

SECTION 4. That the said mayor, aldermen and citizens of Reading shall have the power and authority to contract a loan

May borrow money for the purpose of paying for gas works. for such a sum of money as may be required for the purpose aforesaid, and issue certificates therefor of not less than one hundred dollars each, redeemable in twenty years, and bearing interest at the rate of six per cent. per annum, and may, if they deem it expedient, pledge the net annual income of said works for the payment of the interest on said loan.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 393.

A N A C T

To enable David M. Craig to adopt Phebe Minesinger as his child.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be lawful for David M. Craig, of Beaver county, to adopt as his own child and heir at-law, Phebe Minesinger, daughter of David Minesinger, deceased, and upon a deed of adoption duly executed and acknowledged by said David M. Craig, and hereby authorized to be recorded in the recorder's office of Beaver county, the said Phebe Minesinger, by her said name as the said adopted child, shall be declared to have capacity to take, inherit or transmit from or through the said David M. Craig, her adopted father, any estate whatever, as fully and as effectually as if said child had been born the daughter of said David M. Craig.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini, one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 394.

AN ACT

Supplementary to the act, entitled "A supplement to an act to provide for the erection of a house for the employment and support of the poor in the county of Huntingdon," approved February seventh, one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter the directors of the poor of the county of Huntingdon shall receive, in addition to the compensation allowed by the act to which this is a supplement, the sum of ten cents per mile, Mileage allowed. for each and every mile necessarily traveled in the discharge of their duties as directors of the poor.

SECTION 2. That hereafter it shall be lawful for the directors May bind out apprentices. of the poor of said county, to bind out apprentices from the poor house, at any distance within the limits of said county of Huntingdon.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini, one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 395.

AN ACT

Declaring the Brokenstraw creek, in Warren county, a Public Highway, from the the Second Fork to the New York State line.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Brokenstraw creek, in Warren county, be and the same is hereby declared to be a public highway, from the Second Fork to the New York state line.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 396.

A SUPPLEMENT

To an act to incorporate the White Deer Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the president and directors of the White Deer bridge company have the privilege to raise their tolls after the passage of this act, not to exceed the following rates, to wit: For every carriage of whatever description, used for the purpose of trade or agriculture, with four wheels and drawn by six horses, seventy-five cents; every carriage drawn by five horses, sixty-two cents; every carriage drawn by four horses, fifty cents; every carriage drawn by three horses, thirty-seven cents; every carriage drawn by two horses, twenty-five cents; every carriage drawn by one horse, fifteen cents; for every other carriage of pleasure of every description, drawn by four horses and four wheels, fifty cents; every carriage drawn by two horses and four wheels, twenty-five cents; every carriage drawn by one horse and four wheels, fifteen cents; for every carriage with two wheels, drawn with two horses, twenty cents; every carriage of two wheels, drawn by one horse, ten cents; for every sled or sleigh, drawn by four horses, fifty cents; every sled or sleigh drawn by two horses, twenty-five cents; every sled or sleigh drawn by one horse, fifteen cents; for every horse, mare, gelding or mule, with a rider, ten cents; every horse, mare, gelding or mule, without a rider, five cents; for every foot passenger, three cents; for every head of horned cattle, four cents; every head of sheep or swine, one cent; for every single ox team, the same as one horse.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 397.

A N A C T

For the relief of Hannah Moshier and Mary Warren, widows of old soldiers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the state treasurer be and he is hereby authorized and directed to pay Hannah Moshier, late of Westmoreland county, widow of a soldier in the Indian wars, and Mary Warren, of Allegheny county, widow of an old soldier, a gratuity of forty dollars, and an annuity of forty dollars, during the term of their natural lives, commencing on the first day of January, one thousand eight hundred and fifty-five, and payable half yearly thereafter, on the first day of January and July.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 398.

A FURTHER SUPPLEMENT

To the act incorporating the Pennsylvania Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Pennsylvania coal company be and are hereby authorized to pay to the shareholders of stock to be issued under the supplementary act of the fifteenth March, one thousand eight hundred and fifty-three, semi-annually in each year, interest at the rate of seven per centum per annum, on all instalments paid by them, and continue to pay the same until the extension of the railroad authorized by said act, shall be completed; all the profits or earnings of the said extension of railroad to be credited

LAWS OF PENNSYLVANIA,

to cost of construction, and all interest paid shall be charged to the cost of construction.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 399.

A SUPPLEMENT

To the laws for the relief and support of the poor in the counties of Washington, Greene and Fayette, approved April sixth, one thousand eight hundred and thirty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That hereafter no order shall be granted by any two justices of the peace for the counties of Washington, Greene and Fayette, for the relief of any poor and indigent person, until proof is first made to the satisfaction of the said two justices, by the oaths or affirmations of two reputable citizens of the proper county, that such person is entitled to the relief prayed for, and that the names of the said citizens shall be set forth in the order granted by the said justices.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of April, one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 400.

AN ACT

Relative to the mode of obtaining damages for the altering or vacating of roads in
Bradford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the third section of an act approved the sixth day of May, one thousand eight hundred and fifty-two, entitled "A supplement to an act regulating the assessments and collection of township taxes in the counties of Bradford, Tioga and Potter, and fixing the manner of reviewing and confirming roads and assessing damages, when roads are laid out through improved lands in said counties," et cetera, approved the thirteenth day of March, one thousand eight hundred and forty-six, be and the same is hereby repealed.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 401.

AN ACT

To confirm certain Land Titles.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That nothing contained in the several acts of assembly relating to the sale of islands, shall be construed to invalidate any warrant, valuation or survey of or for any part of Windmill island, in the river Delaware, by reason of the same having relation to any portion less than the whole of the said island; but all such proceedings had or to be had, executed and regularly returned and accepted at the land office, and patents granted or to be granted thereupon, shall be deemed good and sufficient to convey the usual title of this commonwealth: Provided, That the vested rights of individuals and other parties shall not hereby*

be infringed: *And provided further*, That it shall not be lawful for the board of wardens for the port of Philadelphia to license the building of any wharf or other construction to extend from the western shore of the said island, beyond low water mark, into the tide way of the river Delaware, without being previously authorized by ordinance of the councils of the city of Philadelphia.

SECTION 2. Nothing herein contained shall be construed to confer or validate any title to the bars and flats above and below said island, and lying beyond low water mark, as it was at the dates of the patents respectively, at ordinary stages of the tide.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 402.

AN ACT

Supplementary to an act, passed the eighth day of April, Anno Domini one thousand eight hundred and fifty-three, relating to a change of venue in Potter county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the nineteenth section of an act of the general assembly of this commonwealth, passed the eighth day of April, Anno Domini one thousand eight hundred and fifty-three, entitled “An Act to incorporate the president and managers of the Belmont Avenue and plank road company in Philadelphia county, and for other purposes,” be and the same is hereby repealed; and the case therein referred to shall be tried in the county of Potter, and the papers therein shall be re-transferred, and the cause proceeded into, to its final disposition, in the same manner as if the same were to be tried in the county of Tioga.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 403.

A SUPPLEMENT

To an act, entitled "An Act relative to suits by Sheriffs, Prothonotaries and other officers of Westmoreland, Lycoming and Washington counties," approved May sixth, one thousand eight hundred and fifty four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all and singular the provisions of the act to which this a supplement, be and the same are hereby extended to Luzerne and Monroe counties.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 404.

AN ACT

Authorizing the Governor to appoint an additional Notary Public in the county of Luzerne.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the governor be and he is hereby authorized to appoint one additional notary public in the county of Luzerne.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 405.

A N A C T

Entitled "An Act to regulate the Public Printing in the north part of Allegheny county."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, all orders made by any of the courts of the county of Allegheny, for the publication of any notice, rule, order, or advertisement; and in all cases in which the county commissioners, sheriff, prothonotary or any executive or ministerial officer of said county, are required by law to cause to be published in said county any proclamation, notice, rule, order, or advertisement, when the same relates to any party, person, business or property located, residing or living in the city of Allegheny, or in that part of said county lying north of the Ohio and Allegheny rivers, that the same shall be published and inserted in at least one newspaper printed and published in the above described locality, if there shall be at the time a newspaper so published.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 406.

A N A C T

To appoint Hugh McKee in place of James Hilands to view parts of the Franklin Road.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the name of Hugh McKee, of Butler county, be and the same is hereby substituted for that of James Hilands, in the list of commissioners appointed to review and lay out that part of the old Franklin road, from a point at or near Martin Burns, in Alle-

gheny county, to a point at or near Whitestown, in Butler county, under the provisions of the fourth section of an act for the relief of William Chappell, a soldier of the Indian war; authorizing James Hazlet and Sarah Hazlet to sell certain real estate; relative to the old Franklin road in Allegheny county, and to incorporate the Butler County Semiconan agricultural society, approved the nineteenth day of March, one thousand eight hundred and fifty-three.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 407.

A N A C T

For the relief of Magdalena Hartman, widow of a soldier of the Revolutionary war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and directed to pay to Magdalena Hartman, of Adams county, widow of John Hartman, a soldier of the Revolutionary war, a gratuity of forty dollars, and an annuity of forty dollars, during the term of her natural life, commencing on the first day of January, Anno Domini one thousand eight hundred and fifty-five, and payable half yearly thereafter, on the first day of January and July.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 408.

A SUPPLEMENT

To the act, entitled "An Act relating to assignees for the benefit of creditors and other trustees," approved the fourteenth June, one thousand eight hundred and thirty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the twenty-ninth and thirtieth sections of the act, entitled "An Act relating to orphans' courts," approved the twenty-ninth day of March, one thousand eight hundred and thirty-two, which relate to the filing in the courts of common pleas of transcripts of the balances appearing to be in the hands of executors, administrators, guardians or other accountants in the orphans' court, for the purpose of creating liens against the real estate of such accountants, shall be and the same are hereby extended to assignees, trustees and other accountants in the courts of common pleas, or any other courts of this commonwealth, in like manner as the same now apply to accountants in the orphans' court; and all balances so filed to become liens shall be indexed as judgments are by law required to be indexed.*

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HESTER,

Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 409.

AN ACT

To authorize the Commissioners of Perry county to sell the Bloomfield Academy

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the county commissioners of the county of Perry shall be and are hereby authorized and directed to sell and convey the Bloomfield academy, situate in said county, together with all the lands, tenements, buildings and appurtenances thereunto belonging, by*

either public or private sale, and at such time and upon such terms as said commissioners shall deem most advantageous to the interests of the said county of Perry; and further to execute and deliver such deed or deeds as shall be sufficient to convey to the purchaser or purchasers thereof the full and complete title to said academy, with its appurtenances, as the same is now held and enjoyed by the commissioners of said county; the purchase money when received to be paid into the county treasury and form part of the general fund thereof: *Provided*, That the same be sold and conveyed to any purchaser or purchasers upon the trusts to take and hold the same for the purposes of education.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 410.

AN ACT

Authorizing the Canal Commissioners to examine the claim of Woodbury township, Blair county, for the payment of certain moneys paid for the re-construction of a Canal Bridge in the said township.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the canal commissioners be and they are hereby authorized and required to examine the claim of Woodbury township, for the refunding of certain moneys paid by said township in the re-construction of a bridge over the Pennsylvania canal, in the year Anno Domini one thousand eight hundred and forty-seven, and report the amount due, if any, together with the facts, to this legislature.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 411.

AN ACT

For the relief of Charles M. Burns and others.

WHEREAS, Bernard M'Mahon, late of Penn township, in the county of Philadelphia, by his last will and testament, duly proved on the twenty-seventh day of September, one thousand eight hundred and sixteen, and registered at Philadelphia in book of wills, number six, page three hundred and thirty-one, having laid off a small lot of land for a public burying ground, did will that the same should forever remain a burying ground, and that if his son James, his heirs or assigns, should at any time neglect or refuse, for the space of three months, to keep the said burial ground well fenced or in good order, should appropriate the said lot for any other use than a burial ground, should refuse the right of way to and from the said burial ground, or should refuse to permit the said lot to be used as intended by him, then and in such case, and from three months after such neglect, perversion or refusal, the whole of a certain larger lot of nineteen acres and one hundred and twenty-eight square perches, (of which the lot so laid out as a burying ground forms part,) should be charged with the payment of fifty dollars per year for every year thereafter, and the said sum should be recovered for the use of the poor of Penn township, by the overseers of the poor of that township:

And whereas, The title to the whole of the said tract of nineteen acres and one hundred and twenty-eight square perches, has, since the death of the testator, become, by sundry conveyances, vested in Charles M. Burns, Patrick Levy and Bernard Berens, in three several distinct portions:

And whereas, By the provisions of the act of assembly of January thirty-first, one thousand eight hundred and fifty-four, entitled "A further supplement to an act, entitled 'An Act to incorporate the city of Philadelphia,'" all the estates and incomes held in trust by the townships, districts, and other municipal corporations mentioned in the said act, became vested in and are held by the said city of Philadelphia:

And whereas, The said city of Philadelphia, at the request of the said Charles M. Burns, Patrick Levy and Bernard Berens, have agreed to release the said tract of land from the said charge, (provided they were legally authorized so to do,) upon payment of the sum of five hundred dollars, to be substituted for the said charge and to be held and invested by the said city for the benefit of the aforesaid poor of Penn township; now therefore, in consideration of the premises,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the city of Philadelphia, upon payment to them of the sum of five hundred dollars by Charles M. Burns, Patrick Levy and Bernard Berens, to make, execute and deliver to the said Charles M. Burns, Patrick Levy and

Bernard Berens, their heirs and assigns, a release under the common and corporate seal of the said city, releasing and discharging the said lot of nineteen acres and one hundred and twenty-eight square perches of land, late of Bernard M'Mahon, and every part thereof, of and from all present and future charge of the said sum of fifty dollars per annum, for the use of the poor of Penn township; and that upon the delivery of such release, the said Charles M. Burns, Patrick Levy and Bernard Berens, their heirs and assigns, shall thenceforth have, hold, take and enjoy the said lot of ground and every part and parcel thereof, according to their several and respective interests therein, free, clear and discharged of and from the said charge of fifty dollars per annum, and from any future annual charge of such sum, whether the contingencies provided and specified in the will of the said Bernard M'Mahon shall or shall not happen: *Provided always, nevertheless,* That the said sum of five hundred dollars shall be in every respect substituted for the said charge, and be henceforth held by the said city of Philadelphia for the use and benefit of the said poor of the late township of Penn, in the same manner as provided by the will of the said Bernard M'Mahon, and as if the contingencies therein specified had taken place.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 412.

AN ACT

To confirm title in Edward Patterson to certain real estate.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That no statutes of mortmain, or any other disabling or restrictive laws, acts, or statutes, public or private, shall invalidate the title of Edward Patterson, to a messuage and lot of ground, situate on the west side of Broad street, between the Centre square and Chestnut street, in the city of Philadelphia, containing in front on said Broad street eighteen feet, and in depth one hundred feet; bounded northward by a messuage and lot of Taylor, southward by premises of Downing, and eastward by Broad street; and also a messuage and lot of ground, situate on the west side of Broad street, between the public square and Chest-

nut street, and at the distance of seventy feet northward from the north side of Chestnut street, in the city of Philadelphia aforesaid; containing in breadth north and south, eighteen feet, and in depth westward one hundred feet; bounded southward and westward by ground late of John H. Brinton, deceased, northward by a messuage and ground late of Ralph Peacock, and eastward by Broad street aforesaid; but the same are hereby repealed, so far as they relate to the title of the said Edward Patterson, the owner of said messuages and lots, or of any subsequent purchaser from him; and the said title is hereby confirmed, as if the said statutes, laws or acts had never been in force: *Provided*, That the provisions of this act shall not interfere with any suit now pending in any court of this commonwealth, and shall be so construed as only to affect or prevent an escheat to the commonwealth under the statutes of mortmain.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of Senate.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 413.

AN ACT

For the relief of Christina Long, a widow of a soldier of the Revolutionary war

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized and directed to pay to Christina Long, of Adams county, widow of Peter Long, a soldier of the Revolutionary war, a gratuity of forty dollars, and an annuity of forty dollars, during the term of her natural life, commencing on the first day of January, Anno Domini one thousand eight hundred and fifty-five, and payable half yearly thereafter, on the first day of January and July.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 414.

A N A C T

Authorizing the President, Managers, and Company of the Pittsburg and Coal Hill Turnpike Road Company to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president, managers, and company of the Pittsburg and Coal Hill turnpike road be and they are hereby authorized and empowered to borrow any sum or sums of money not exceeding twelve thousand dollars, at such rates of interest not exceeding seven per centum, and on such terms as may be determined by the president and managers of said road company, for the purpose of paying certain debts contracted, and liabilities incurred in constructing, improving and planking their road, and for the purpose of completing the same; and it shall be lawful for the said company to secure the money so borrowed, by bond or bonds of said company, and mortgage upon its property, or otherwise, as the said president and managers may deem proper: *Provided,* That no bond shall be issued for a less sum than one hundred dollars.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 415.

A N A C T

Supplementary to the Health Laws of the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first day of July next, no bone boiling establishment or depository of dead animals shall be kept or erected within the limits of the city of Philadelphia, without the permission of the board of health of said city, which is hereby au-

thorized under the control of the councils of said city, to make all necessary regulations therefor; and every person offending against the provisions of this act shall, for every such offence, and each month's continuance of the same after notice, forfeit and pay to the city of Philadelphia the sum of fifty dollars, to be recovered as debts of that amount are by law recoverable, and also be liable to indictment at common law for creating or maintaining a nuisance.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 416.

AN ACT

To provide for the erection of a house for the employment and support of the poor of the county of Centre.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Commissioners.

Their duties

Election of directors.

E. C. Humes, James D. Turner, Robert V. Miller, William Marshall, John Thompson, John P. Packer, James Gilleland, John Adams, Adam Barlow, John Glenn, John Hasson, Col. Wm. Love, John M'Almont, Jacob Struble, Dr. Samuel Strohecker, David Duncan, John Hosterman, Wm. A. Davidson, Dr. C. R. Foster, be and are hereby appointed commissioners, whose duty it shall be or a majority of them, on or before the first day of January, Anno Domini, one thousand eight hundred and fifty-six, to determine upon and purchase such real estate as they shall deem necessary for the accommodation of the poor of Centre county; and it shall be lawful for said commissioners or a majority of them, to take conveyances therefor, in the name and for the use of the corporation mentioned in the third section of this act, and they shall certify their proceedings therein under their hands and seals to the clerk of the court of quarter sessions of Centre county to be filed in his office; and at the next general election after the acceptance of this act as hereinafter provided, the qualified electors shall elect three reputable citizens of the said county, to be directors of the poor and of the house of employment, for the county of Centre, for the ensuing year; and the judges of the elections of said county shall, immediately on receiving the returns from the several election districts and casting up the number of votes therein, or within three days there-

after, certify under their hands and seals the names of the persons so elected directors, to the clerk of the court of quarter sessions of the said county, who shall file the said certificate in his office, and forthwith give notice in writing, to the said directors of their being elected; and the said directors shall meet at the court house in said county, on the fourth Monday of November ensuing their election, and divide themselves by lot into three classes, the place of the first to be vacated at the expiration of the first year, of the second at the expiration of the second year, of the third at the expiration of the third year, so that those who shall be chosen after the first election, and in the mode above described, may serve for three years, and one-third may be chosen annually: *Provided*, That upon the acceptance of this act as hereinafter directed, the court of quarter sessions of the county of Centre, shall appoint three directors, to serve until an election for directors shall be had as aforesaid.

Meeting of directors.

Classification

Proviso.

SECTION 2. That every director elected in the manner aforesaid, or appointed as is directed by the eleventh section of this act, shall, within ten days after he is notified of such election or appointment, and before he enters upon the duties of the said office, take an oath or affirmation, which any justice of the peace of said county is hereby authorized to administer, that he will discharge the duties of the office of director of the poor for said county, truly, faithfully and impartially, to the best of his knowledge and ability; and in case of neglect or refusal to take the said oath or affirmation within the time aforesaid, he shall forfeit and pay the sum of ten dollars, for the use of the poor of said county, which fine shall be recovered by the directors, for the time being, as debts are or shall be by law recoverable; and the directors qualified as aforesaid, are hereby authorized to administer an oath or affirmation in any case where it shall be necessary, in relation to the duties of the office.

Directors to be sworn.

Penalty for refusing to act.

SECTION 3. That the said directors shall forever hereafter, in name and in fact, be one body politic and corporate in law, to all intents and purposes whatsoever, relative to the poor of the county of Centre, and shall have perpetual succession, and may sue and be sued, plead and be impleaded, by the name, style and title of "The directors of the poor and of the house of employment for the county of Centre," and by that name shall and may receive, take and hold, any lands, tenements and hereditaments, not exceeding the yearly value of five thousand dollars, and any goods and chattles whatsoever, of the gift, alienation or bequest of any person or persons whatsoever, to purchase, take and hold any lands and tenements within their county, in fee simple or otherwise, and erect suitable buildings for the reception, use and accommodation of the poor of said county, to provide all things necessary for the lodging, maintenance and employment of said poor, to appoint a treasurer annually, who shall give bond with full and sufficient surety for the faithful discharge of the duties of his office, and at the expiration thereof, for the payment and deliver over to his successor in office, all moneys, bonds, notes, books, accounts and other papers to the said corporation belonging, which shall then be remaining in his hands, custody and possession; and the said directors shall have power to employ, and at pleasure remove a steward or stewards, a matron or matrons, physician or physicians, surgeon or surgeons, and all other attendants that may be necessary for the said poor respectively, and to bind out apprentices so that such

Body politic

Style.

Privileges

Erect buildings.

Treasurer. :

Steward and other officers.

Apprentices.

apprenticeship may expire, if males, at or before the age of twenty-one years, if females, at or before the age of eighteen years: *Provided*, That no child shall be bound out for a longer time than until he arrives at the age of eighteen years, unless he be bound out to a trade other than a farmer: *Provided also*. That no child shall be bound without the limits of the state; and the said directors shall exercise and enjoy all such other powers now vested in the overseers of the poor, as are not herein granted or supplied, and the said directors are hereby empowered to use one common seal in all business relating to the said corporation, and the same at their pleasure to alter and renew.

SECTION 4. That the said directors, as soon as may be after their election and organization as aforesaid, shall make an estimate of the probable expense of purchasing the lands and buildings, of erecting the necessary building or buildings and furnishing the same, and maintaining the poor within the said county for one year, whereupon, the county commissioners of the said county shall and they are hereby authorized and required to increase the county tax by one-fourth part of the sum necessary for the purpose aforesaid, and shall procure on loan or credit, of the taxes herein directed to be levied, the remaining three-fourths thereof, to be paid in instalments, with interest, out of the county taxes: *Provided always*, That if such loan cannot be made, the whole amount of the sum necessary for the purpose aforesaid, or such part thereof as may be deemed proper, shall immediately be added to the county tax, to be paid by the county treasurer to the directors aforesaid, on orders drawn in their favor by the county commissioners, as the same may be found necessary.

SECTION 5. That it shall be the duty of the said directors on or before the first day of November in each and every year, to furnish the commissioners of the said county with an estimate of the probable expense of the poor and poor house for one year; and it shall be the duty of said commissioners to assess, and cause to be collected, the amount of said estimate, which shall be paid to said directors by the county treasurer, on warrants drawn in their favor by the county commissioners, as the same may be found necessary; and the said directors shall, at all times, submit to the examination and inspection of said visitors, as may be appointed by the court of quarter sessions of said county, all their books and accounts, with the rents, interest and moneys payable and receivable by the said corporation; and also, an account of all sales, purchases, donations, devises and bequests, as shall have been made by them or to them.

SECTION 6. That as soon as the said buildings shall have been erected or purchased, and all necessary accommodations provided therein, notice shall be sent, signed by any two of the said directors, to the overseers of the several townships of the said county of Centre, requiring them forthwith to bring the poor of their respective townships to said house of employment, which order the overseers are hereby enjoined and required to comply with, or otherwise to forfeit the cost of all future maintenance, except in cases where by sickness or any other sufficient cause, any poor person cannot be removed, in which case the said overseers shall represent the same to the nearest justice of the peace, who being satisfied of the truth thereof, shall certify the same to the said directors, and at the same time issue an order, under his hand and seal, to the said overseers, directing them to main-

Proviso.

Proviso.

Estimate of expense of poor house.

County tax to be increased.

Loan.

Proviso.

Annual estimate of expenses.

Notice to overseers.

tain such poor until he or she may be in a situation to be removed, and then to convey the said pauper and deliver him or her to the steward or keeper of the said house of employment, together with said order; and the charge and expense of such temporary relief, and of such removal, shall be paid by the said directors.

SECTION 7. That the said directors shall, from time to time, receive, provide for and employ, according to the true intent and meaning of this act, all such poor and indigent persons as shall be entitled to relief, or shall have gained a legal settlement in the said county of Centre, and shall be sent there by an order or warrant for that purpose, under the hands and seals of any two justices of the peace, directed to any constable of the said county of Centre, or to the overseers of the proper township in any other county in this commonwealth; and the said directors are hereby authorized, when they shall deem it proper and convenient to do so, to administer relief to any poor person, or to permit any person or persons to be maintained elsewhere: *Provided*, That the expense of their maintenance does not, in any case, exceed that for which they could be maintained at the poor house of the county of Centre.

Reception and support of poor.

Proviso.

SECTION 8. That the said directors, or any of them who shall be a quorum in all cases to do business, shall have full power to make and ordain such ordinances, rules and regulations as they shall think proper, convenient and necessary for the government and support of the poor and house of employment aforesaid, and of the revenues thereunto belonging, and of all such persons as shall come under their cognizance: *Provided*, That the same be not repugnant to this law, or any of the other laws of this state or of the United States: *And provided also*, That the same shall not have any force or effect until they shall have been submitted to the court of quarter sessions, for the time being, of the county of Centre, and shall have received the approbation of the same.

Quorum.

By-laws.

Proviso.

Proviso.

SECTION 9. That a quorum of said directors shall and they are hereby enjoined and required to meet at the said house of employment at least once in every month, and visit the apartments and see that the poor are comfortably supported, and hear all complaints, and redress or cause to be redressed all grievances that may happen by the neglect or misconduct of any person or persons in their employment or otherwise.

Meetings of directors.

SECTION 10. That the said directors shall each of them receive for their services, annually, the sum of thirty dollars, to defray the expenses of their necessary attendance on the duties of their office.

Pay.

SECTION 11. That in case any vacancy by death, resignation or otherwise, of any of the said directors, the remaining directors shall fill such vacancy by the appointment of a citizen of their county, to serve until the next general election, when another director shall be elected, as if no such vacancy had happened.

Vacancies.

SECTION 12. That all claims and demands existing at the time of this act being carried into effect, shall have full force and effect as if this act had not been passed, and when the same may have been duly adjusted and settled, all moneys remaining in the hands of the overseers, as well as the uncollected taxes

Claims.

levied for the support of the poor in the several townships in the county of Centre, shall be paid over to the supervisors of the highways of their respective townships, to be by them applied towards repairing the roads therein.

Office of overseer to cease

SECTION 13. That as soon as the poor of the county of Centre shall have been removed to the house of employment of the said county, and the outstanding taxes collected and paid over, the office of overseer of the poor within the said county, shall from thenceforth be abolished.

Certain powers and duties conferred on supervisors

SECTION 14. That the powers conferred and the duties imposed on the overseers of the poor, in and by an act to empower the overseers and guardians of the poor of the several townships within this commonwealth, to recover certain fines, penalties and forfeitures, and for other purposes, are hereby conferred and imposed on the supervisors of the highways in said county of Centre, except such as are conferred upon the directors by this act; and the justices of the peace and sheriff within the said county are hereby required to pay to the said supervisors, to be by them applied to the repair of the highways, the aforesaid fines, forfeitures and penalties, within the time and in the manner prescribed by the said act for the payment thereof.

Allowance to commissioners

SECTION 15. That the commissioners of the said county are hereby authorized and empowered to pay to the persons who are appointed commissioners by the first section of this act, the expenses incurred by them in the performance of their duty, and shall also pay to each of the said directors a reasonable compensation for their services during the term they are employed in erecting any building or buildings aforesaid: *Provided*, That the same shall not, including the annual sum allowed them by this act, exceed fifty dollars for any one year.

Compensation to directors

Provided

Repeal

SECTION 16. That so much of the laws of this commonwealth relating to the poor, as are by this act altered or supplied, be and the same are hereby repealed, so far as they effect the county of Centre.

Duty of sheriff

SECTION 17. That the sheriff of the said county shall, in due time, notify the said commissioners of their appointment, and when and where they shall meet for entering upon the duties assigned them by this act, which place of meeting shall be as near the centre of the county as possible.

Privileges of our new territory.

SECTION 18. That if any portion of territory now composing the said county of Centre should be hereafter stricken off, and a new county be erected out of the same, that portion of said territory so stricken off shall be entitled to all the use and benefits of the said poor house, the same as if it still remained a part of the said county of Centre.

Election to determine upon acceptance of this act

SECTION 19. That the qualified electors of the county of Centre shall, at the next annual election hereafter, vote on the subject of an acceptance or rejection of this act, by printed or written tickets, having on the outside the words, "Poor house," and on the inside, "For a poor house" or "Against a poor house," which votes shall be returned by each election district, in the same manner as the votes for any county officer are returned, and to be counted by the return judges of the county; and if a majority of said votes are cast for a poor house, then this act shall go into effect immediately thereafter; if the majority of

said votes shall be against a poor house, then this act shall have no further force or effect whatever.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 417.

A N A C T

For the relief of Margaret Watson, widow of a soldier of the Indian War.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and is hereby authorized and directed to pay to Margaret Watson, of the city of Lancaster, widow of Oliver Watson, deceased, a soldier of the Indian war, a gratuity of forty dollars, and an annuity of forty dollars during the term of her natural life, commencing on the first day of January, Anno Domini one thousand eight hundred and fifty-five, and payable half yearly thereafter on the first of January and July.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 418.

AN ACT

For the relief of Barbara Siverling, widow of a soldier of the Indian and late war with Great Britain.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and directed to pay to Barbara Siverling, of Crawford county, widow of a soldier of the Indian war and the war with Great Britain, a gratuity of forty dollars, and an annuity of forty dollars during the term of her natural life, commencing on the first day of January, Anno Domini one thousand eight hundred and fifty-five, and payable half yearly thereafter on the first day of January and July.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 419.

A SUPPLEMENT

To the act incorporating the Lackawanna Iron and Coal Company, approved fifth April, one thousand eight hundred and fifty-three.

Increase of capital stock.

Proviso.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Lackawanna iron and coal company, by a vote of the directors thereof, is hereby authorized to increase its capital stock beyond the amount authorized in the act incorporating said company, any amount not exceeding four hundred thousand dollars: *Provided,* That said company shall pay into the state treasury a bonus of one-half of one per centum upon the amount of such stock hereby authorized, in four equal annual instalments, from and after the creation of the same.

SECTION 2. That said company shall have the right to acquire, May hold lands hold and enjoy, in the county of Luzerne, certain timber and iron ore lands, now held by trustees for the benefit of the late firm of Scrantons and Platt, not exceeding five thousand acres; and also iron ore lands in the state of New York, not exceeding one thousand acres at any one time, and to mine, obtain and use the ores, timber and other products of the lands aforesaid; and to sell and dispose of the said lands and products as said company may deem expedient, and as may be necessary and proper in the prosecution of its business.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 420.

A FURTHER SUPPLEMENT

To an act to incorporate the Coal Run Improvement and Railroad Company, approved the eleventh day of March, Anno Domini one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Name changed the name of the Coal Run improvement and railroad company be and the same is hereby changed and made the New York and Middle Coal Field railroad and coal company, and that said Borrow money. company shall have authority to borrow money, not exceeding one million of dollars, at a rate of interest not exceeding eight per cent., and to issue its bonds or other obligations therefor, in sums not less than one hundred dollars each, and may secure Mortgage. the payment of the same by a mortgage or mortgages of its lands, improvements, railroad and corporate franchises; and that said company may purchase and hold, not exceeding one thousand acres of land, in addition to that which it is now authorized to Hold lands. purchase and hold, anywhere within the Middle Anthracite coal field: *Provided,* That nothing herein contained shall in Proviso. anywise impair the rights of existing creditors of said company.

SECTION 2. That the said company shall have the right to May extend road extend their railroad to the Lehigh Valley railroad on the North Pennsylvania railroad, and to connect with either or both of said railroads south of the Luzerne county line, at such situa-

ble points with each or both of said roads as may be agreed upon by said companies respectively.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 421.

A N A C T

To incorporate the Clarion and Red Bank Plank Road Company.

Commissioners.	SECTION 1. <i>Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That</i> William Alexander, George W. Arnold, Samuel Wilson, John Keatley, George Space and Washington Craig, or any three of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Clarion and Red Bank plank road company, with power to construct a plank road from the borough of Clarion, by way of the borough of Strattonville, to the Allegheny Valley railroad at or near the borough of New Bethlehem, in the county of Clarion, with the privilege of making a branch plank road from the borough of Clarion to an intermediate point on said road, not exceeding three miles south of Strattonville borough, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, so far as they are not inconsistent with this act.
Style.	
Route.	
Branch road.	
Subject to.	
Capital stock.	SECTION 2. That the capital stock of said company shall consist of fifty thousand dollars at twenty-five dollars per share.
Commencement and completion.	SECTION 3. That if said company shall not commence the construction of their road within three years after the passage of this act, and complete the same within five years thereafter, then this act shall be null and void, except so far as may be necessary to wind up the affairs and pay the debts of said company.
Subscriptions.	SECTION 4. That incorporated railroad companies and incorporated turnpike and plank road companies are hereby authorized to subscribe stock in said company.
May consolidate.	SECTION 5. That said company are hereby authorized to consolidate with any turnpike road company, or to locate upon and take possession of any county or township road now in use, the

damages to be assessed by three disinterested parties, appointed by the court of common pleas, in the county through which said road shall pass.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 422.

A SUPPLEMENT

To an act authorizing certain persons to lease a tract of land situated in the township of Falls, in the county of Bucks, and to appropriate the rents thereof for the education of poor children, passed March twenty fourth, one thousand eight hundred and seven.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the trustees of the lands mentioned in the act to which this is a supplement, be further authorized to appropriate a part of the rents thereof, as in their discretion may be deemed necessary, from time to time, to keep in good repair the fences of the public burying ground, usually called Brown's grave yard, situated in the said township of Falls, of the county of Bucks.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 423.

SUPPLEMENT

To the act, entitled "An Act to incorporate the Philadelphia and Trenton Railroad Company," approved twenty-third day of February, Anno Domini one thousand eight hundred and thirty-two.

May extend road.

Provide

May hold certain real estate.

Provide

Branch road

Provide

Must remove a pier

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Philadelphia and Trenton railroad company be and they are hereby authorized and empowered, by and with the consent of the select and common councils of the city of Philadelphia, to extend their railroad from their depot on Elm or Harrison street, along any street or streets except New Market street, Johns. Front, Second and Third streets, by a single track, to be laid in the manner most approved and suitable for the purpose, to connect with the Northern Liberties and Penn Township railroad, and to use and employ said railroad thus extended, for the use and purpose under the provisions of the charter, subject to such rules and regulations as said councils may establish: *Provided,* That no locomotive engine be allowed to enter or pass on or along the said road thus extended; and that no train of cars shall be allowed to exceed six miles an hour as the rate of speed.

SECTION 2. That the said company be and they are hereby authorized to purchase, acquire and hold such real estate, in the city of Philadelphia, as may be necessary for the convenient transaction of their business: *Provided,* That the value thereof shall not exceed one hundred thousand dollars.

SECTION 3. That the Philadelphia and Trenton railroad company is hereby authorized and required to construct a branch from their road, by the best and most direct route, to the corner of Frankford street and the Oxford road, or within three hundred yards of that point, in the Twenty-third ward of Philadelphia, the same to be finished and put in good running order within one year from the time the consent of the councils of Philadelphia shall be obtained for the extending of said railroad as aforesaid: *Provided,* That no damages shall be claimed of, or paid by this company for the use of lands along the line of said branch to the required width of said railroad, as now authorized by law.

SECTION 4. That if said company shall extend their road agreeable to the provisions of this act, they shall remove a pier they placed in the channel of the Nashamony river, when such pier shall be declared an obstruction by a decree of the court of common pleas of Bucks county.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 424.

A N A C T

To vacate a part of Long Lane, in Reserve township, Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* that part of Long lane, in Reserve township, Allegheny county, situate between the intersection of the said lane with Vial street, on the south, and its intersection with the Spring Garden road, on the north, be and the same is hereby vacated; and that all title which the said commonwealth hath in the land over which the said part of said lane was laid out, be the same is hereby conveyed, released and confirmed unto the owner or owners of the land bounded by the said part of the said lane their heirs and assigns forever; also, so much of Pasture lane in the township of Reserve, and county of Allegheny, as extend from the northern line of out-lot number one hundred and eighty-six, in the reserved tract opposite Pittsburg, to the southerly line of out-lot number two hundred and twenty-one, in said reserved tract: *Provided*, That the heirs of the late Nicholas Voegtly, deceased, shall first open the said Vial street, which intersects the said lane, and extends to the said road, and which was laid out by the said Nicholas Voegtly, in his life time.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 425.

A S U P P L E M E N T

To an act for the relief of the estate of Henry Frick, deceased, et cetera, approved the fifth day of April, one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the provisions of the first section of the act to which this is a

supplement, be and the same are hereby extended to Fleming W. Pollock, co-surety with others, of Robert Moody.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 426.

AN ACT

To authorize the borough of Columbus, Warren county, to collect an additional tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the burgess and town council of the borough of Columbus, in Warren county, be and they are hereby authorized to levy and collect an additional road tax in said borough, whenever they may deem the same necessary: Provided, That no additional tax shall at any time exceed five mills on the dollar of taxable property in said borough, in any one year.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 427.

AN ACT

Authorizing the laying out of a State Road from Bloomsburg, Columbia county, to Laporte, in Sullivan county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Reuben W. Weaver, of Columbia county, John Koons, of Luzerne county, and Michael Meylert, of Sullivan county, be and they are hereby appointed commissioners to view, lay out and mark a state road, beginning at Bloomsburg, in the county of Columbia, and extending by or near the village of Lereno, in the same county, to Laporte, in Sullivan county, upon the most practicable route, having regard to distance, public convenience and cost of construction.

SECTION 2. That it shall be the duty of the said commissioners, or a majority of them, after being sworn or affirmed before some judge or justice of the peace, to perform the duties enjoined by this act, with fidelity, carefully to view the ground over which said road is to pass, and lay out the same of any width not exceeding forty feet, adopting, as far as convenient and practicable, any road or part of a road now in use; and they shall distinctly mark the road so laid out by them; and the said commissioners shall receive, for their services, the sum of one dollar and fifty cents per day; and if either of said commissioners shall act as surveyor, he shall receive the additional sum of one dollar per day; and said commissioners may employ two chain carriers and one axe-man, at a sum not exceeding one dollar per day each.

SECTION 3. The said commissioners shall make out a full and accurate draft of the road so laid out by them, and file copies thereof in the courts of quarter sessions of the several counties through which said road may pass; and from thenceforth the said road shall be held and deemed a public highway, and shall be opened and repaired as roads laid out by the courts are made, opened and repaired.

SECTION 4. The said road shall be laid out, and reports thereof filed, before the first day of November next; and if any one of the said commissioners shall die, remove, refuse or be unable to act, his place may be filled by appointment of the court of quarter sessions of Columbia county.

SECTION 5. The compensation of said commissioners, and the chain carriers and axe-man employed by them, shall be paid by the several counties through which the said road may pass, in proportion to the extent of the road in each; and orders therefor shall be issued by the commissioners of each county upon the treasurers thereof, in the usual manner.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 428.

AN ACT

Relative to Benedict Stevens, collector of taxes of Springfield township, Huntingdon county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the commissioners of Huntingdon county, be and they are hereby authorized to give and allow Benedict Stevens, collector of taxes of Springfield township, Huntingdon county, for the year eighteen hundred and fifty-four, within sixty days from and after the passage of this act, such exonerations on his duplicate of said year as he may be justly and equitably entitled to, in like manner as though he had asked for such exonerations within the time specified by law.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 429.

A SUPPLEMENT

To the act to incorporate the Clinton County Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the Clinton County coal company, in addition to the quantity of land now authorized to be held by them, may hold any quantity of land that may be necessary for depot purposes, not exceeding twenty-five acres.

May hold certain
land

Connections

SECTION 2. That the said company shall have the right to connect their railroad with the Sunbury and Erie railroad, at or near their depot grounds, in the township of Coal Brook, in the county of Clinton.

Tax

SECTION 3. That the tax of one per centum upon the capital stock of said company, imposed by the act to which this is a

supplement, shall be reduced to one-half of one per centum upon the capital stock paid in.

SECTION 4. That the company shall have the right to construct a dock on the West Branch of the Susquehanna river, in front of their depot grounds, extending twenty-four feet out from low water mark. Dock.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 430.

A N A C T

To incorporate the Sterling Plank Road or Turnpike Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* William E. Hamlin, Leander Griffin, Thomas Depew, James M. Noble, A. J. Cliff, Charles Martin, Richard Simons, George H. Slete and Isaac Megargil, or any three of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Sterling plank road or turnpike road company, with power to construct a plank road, or a road partly of plank and partly turnpike, from the Delaware, Lackawanna and Western railroad, in the county of Luzerne, commencing at such point on said railroad as may be selected by the stockholders; thence by the best route or routes the stockholders may determine upon, passing near Nobleville, in Sterling township, to Ledgerdale, in Salem, Wayne county, near the tannery of More Martin and company, subject to the provisions and restrictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, one thousand eight hundred and forty-nine, and the several supplements thereto, so far as they are consistent with this act. Commissioners.
Style.
Route.
Subject to.

SECTION 2. That the capital stock of said company shall consist of two hundred and fifty shares, of twenty-five dollars each, with power to increase their capital stock to eight hundred shares, of like amount. Capital stock.

SECTION 3. That said company shall have a right to construct their road upon any of the public roads between the points specified, or bridge or bridges that may be on said route or road; and if they shall not commence the construction of their road within Commencement and completion.

three years after the passage of this act, and finish the same within five years, then this act to be null and void, except so far as it shall be necessary to wind up the affairs of said company.

SECTION 4. That the said company shall have power to erect and set up gate or gates, and to levy and collect tolls from persons traveling along, or otherwise using said road, at the rates prescribed in the act regulating turnpike and plank road companies already referred to, without further license, so soon as they shall have completed two miles of said road.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HESTER,

Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 431.

AN ACT

Authorizing the Pittsburg and Coal Hill Turnpike Road Company to borrow money

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the Pittsburg and Coal Hill turnpike road company, be and they are hereby authorized and empowered to borrow any sum or sums of money not exceeding twelve thousand dollars, at such rates of interest and on such terms as may be determined by the president and managers of said road company, for the purpose of paying certain debts contracted, and liabilities incurred in constructing, improving and planking their road, and for the purpose of completing the same; and it shall be lawful for the said company to secure the money so borrowed by bond or bonds of said company, and mortgage upon its property or otherwise, as the said president and managers may deem proper; and the said president and managers are authorized to sell and dispose of the said bonds within or beyond this commonwealth, at such rates above or below par as may be agreed upon between the parties, and such sale shall be as valid as if sold at par: *Provided,* That no bond shall be issued for a less sum than one hundred dollars.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HESTER,

Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 432.

A N A C T

Relative to supplying the borough of Altoona with water.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the burgess and town council of the borough of Altoona, in Blair county, are hereby authorized and empowered to enter into a contract with the Pennsylvania railroad company, for the use of the surplus water introduced by said company into the borough of Altoona, for the supply of their locomotive engines and workshops, et cetera, so far as may be necessary to supply the citizens of said borough with water; and the said Pennsylvania railroad company are hereby authorized and empowered to enter into a contract with said burgess and town council for said purpose, on such terms as may be mutually agreed upon by and between them.

May sell surplus water.

SECTION 2. That the said burgess and town council of the borough of Altoona, be and they are hereby authorized to construct a basin or reservoir for water, to hold a sufficient supply for the citizens of said borough, on ground to be procured for said purpose, and shall proceed to construct the same, and to dig trenches, and lay down trunks and pipes where deemed necessary, along the streets and alleys of said borough, for the purpose of conveying said water, and supplying said borough, as is hereinafter provided with the same, as soon after the consummation of said contract as practicable, and shall have liberty, at all times, to renew and repair the same, shutting up and amending any breaches which may be made as soon as possible; and that they be authorized to borrow, on the credit of the borough, any sum necessary to effect the same, not exceeding five thousand dollars, in such sums, and at such times as may be necessary; and they are hereby authorized and empowered to levy and collect a tax which shall, with the rent of said water, be sufficient to pay the interest of said loan, and create a sinking fund to repay the principal.

Reservoir.

Water pipes.

Repairs.

Borrow money.

Levy tax.

Sinking fund.

SECTION 3. That the burgess and town council of said borough shall, at all times, where trunks and pipes shall be laid in and through any of the streets and alleys in said borough, suffer the citizens of said borough to be supplied with water for domestic use, and such other uses as the burgess and town council may permit, for such reasonable compensation as shall from time to time be agreed on by the said burgess and council and such individuals, according to such certain uniform rates as the burgess and town council shall hereafter adopt, having regard to the quantity of water which applicants are likely to consume: *Provided*, That the owners of the freehold on and upon which said water is taken and used, shall in all cases be the parties with whom such contract for the use of the water shall be made, and the said real estate be bound for and liable for the payment of the same, reserving to the borough the right to contract with

Use of the water.

Prices.

Proviso.

the lessees or tenants, if they see fit and proper so to do; and any person or persons within the said borough who shall take any of the said water for domestic or other uses, without having previously contracted for the same with the said burgess and town council, shall forfeit and pay for every such offence any sum not exceeding the sum of fifty dollars, to the said burgess and town council, for the use of the borough, to be recovered before a justice of the peace by action of debt or assumpsit, in the same manner as debts of equal amount are now recoverable.

Penalty for wast-
ing water

SECTION 4. That if any person or persons, or body politic, who shall have contracted with said burgess and town council for the use of said water, shall wantonly and unnecessarily waste the same, to the injury of the said borough, or shall permit any other person or persons, not being by the said contract entitled to the use thereof, to make use of the same, or shall neglect and fail to pay to the said borough the amount of money by him, her or them agreed upon to be paid as a compensation for the use of said water, for the period of three months after the same shall be due and payable, according to the terms of said contract, it shall be lawful for the burgess and town council to withhold and cut off the water from the premises of such individual or body politic and corporate, until all such arrearages, with interest and the costs of recovery, shall be paid: *Provided*, That nothing herein contained be so construed as to affect, impair or take away the right of the said borough to sue for and recover the amount of such arrearages.

Proviso

Injuries to works.

SECTION 5. That if any person or persons shall wilfully destroy or injure in any manner the pipes, cisterns, reservoir, hydrants, or any of them, or any of the works of the said borough, erected or to be erected in pursuance of this act, or shall wilfully corrupt or otherwise render unwholesome, or use without permission the stream of water which shall be conveyed or brought through the said borough, on being convicted thereof before any justice of the peace in and for the county of Blair, by the oath or affirmation of one or more credible witnesses, pay a fine not exceeding twenty dollars, one-half to go to the poor of said county and the other half to the informer, and shall moreover remain liable for all damages to the borough.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 433.

AN ACT

To incorporate the Waupauscening and Owego Plank Road or Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That J. Pampilly, Henry Gibbs, Minor Taylor, Robert M'Kee, Samuel Wheaton, Philip Rogers, James Finch, Benjamin Ellsbree, J. B. G. Bobcack, Myren Prince, Jacob Hand and Frederick Pampilly, be and they are hereby appointed commissioners to open books, receive subscriptions, and organize a company by the name, style and title of the Waupauscening and Owego plank road or turnpike road company, with power to construct a plank road or a turnpike road from the Waupauscening creek road, at a point near James Finch's, in the township of Windham, in Bradford county, to the line of the state of New York, between the forty-fifth and forty-sixth mile stone, to connect with a plank road leading from thence to Owego, in the state of New York, by the nearest and best route, as the stockholders may determine upon, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, one thousand eight hundred and forty-nine, excepting that portion of the thirteenth section of said act, relating to tolls, which discriminates in favor of wheels of the width of four inches and upwards; and the company hereby incorporated shall have power to regulate their tolls within the limits prescribed by the said thirteenth section, without reference to the width in any place.

SECTION 2. That the capital stock of said company shall consist of two hundred and forty shares, of twenty-five dollars each: *Provided*, That said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much as, in their opinions, may be necessary to complete the said road and to carry out the true intent and meaning of this act.

SECTION 3. That if said company shall not commence the construction of their road within three years after the passage of this act, and complete the same within five years thereafter, this act shall be null and void, except so far as the same may be necessary to wind up the affairs and pay the debts of said company.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 424.

A FURTHER SUPPLEMENT

To an act to incorporate the Dauphin and Susquehanna Coal Company, approved the fifth day of April, one thousand eight hundred and twenty six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* it shall not be lawful for the holders or trustees of any mortgage heretofore given by the Dauphin and Susquehanna coal company, to proceed to sell the mortgaged property or any part thereof under such mortgage, or under any judgment bond accompanying the same, until the amount really and *bona fide* due and payable upon such mortgage, and also upon any other mortgage given by the said company, shall have been first judicially ascertained by the supreme court of this commonwealth, upon proceedings in equity to be therein instituted for that purpose by any contractor or other creditor, for work done or materials furnished under any contract made with the said company, or for the right of way or land damages: *Provided, That* such proceedings be instituted within thirty days from the passage of this act: *And provided further, That* no sale as aforesaid shall take place, but the same shall be stayed for a period of twelve months from and after the passage of this act, unless the said company shall first pay and discharge all debts due to said contractors, creditors or land owners; the supreme court of this state shall have full jurisdiction of such proceedings, and to make all necessary and proper orders and decrees therein.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 435.

A SUPPLEMENT

To the act incorporating the Pennsylvania Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the board of directors of the Pennsylvania railroad company shall have authority to increase, from time to time, the capital stock of the company, such increase not to exceed forty thousand shares. May increase capital stock.

SECTION 2. That the annual election of the board of directors shall hereafter be held at the office of the company, in Philadelphia, between the hours of ten A. M. and six P. M., on the first Monday of March of each year, the annual meeting of the stockholders to be held on the first Monday of February, as heretofore. Annual election.

SECTION 3. That no person shall be eligible to fill the office of director, who shall not have been possessed in his own right of not less than fifty shares of the stock of the company, at least ninety days previous to his election, either by the private stockholders, or by the municipal corporations holding stock in the company; that any vacancies that may hereafter occur in the board, from any cause whatever, shall be filled by the board in the manner provided for in the fifth section of the charter of the company, to which this is a supplement: *Provided*, That before this act shall go into effect, it shall be approved by the stockholders, at a general meeting called for that purpose. Directors. Provide.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 436.

AN ACT

Supplementary to an act to incorporate the Independent Mutual Insurance Company, approved the eighteenth day of April, Anno Domini one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the board of directors of the Independent mutual insurance company shall have power to change the time for the termination of the business, or fiscal year of the said company, and for the election of directors thereof, from the first day of June to any other time they may deem convenient for the business of the company: *Provided*, Notice of such change shall be given by

advertisement in Philadelphia, in three daily papers of the most extensive circulation, daily, for two weeks.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 437.

AN ACT

Authorizing the Overseers of the Poor of the township of Lycoming, in the county of Lycoming, to recover certain moneys.

Suit to be brought
for certain claim.

Proviso

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the overseers of the poor of the township of Lycoming in the county of Lycoming, to ask, demand, sue for, and recover of and from James C. Funston and Abram Paulhamus, their executors or administrators, or either of them, or of and from their sureties hereinafter referred to, whatever sum or sums of money have been received by them, the said James C. Funston and Abram Paulhamus, or either of them, as overseers of the poor of said township, from the sale of any lot or lots of land sold by them as overseers of the poor of said township, as the estate of Walter Potts, an insane pauper in said township, in pursuance of the provisions of the twenty-first section of the act of assembly of the twenty-second April, one thousand eight hundred and fifty, entitled "An Act for the erection of a house for the support of the poor in the county of Mifflin; authorizing the overseers of the poor of Lycoming county to sell certain property belonging to Walter Potts, an insane pauper," et cetera: *Provided however,* That the said overseers of the poor shall file a bond in the court of common pleas of Lycoming county, to be approved by said court or a judge thereof, in the sum of eight hundred dollars, conditioned for the faithful appropriation of such sum or sums of money as they shall receive as aforesaid, and for the payment of the same toward the expenses of maintaining the paupers chargeable on said township, and for the payment of any residue of said money remaining in their hands at the expiration of their term of office, to their successors in office, upon their said successors giving security for a like faithful appropriation of such residue of the said moneys.

Delivery of bond.

SECTION 2. That upon the payment of all such sum or sums of money as have been received by the said James C. Funston

and Abram Paulhamus, with its interest, it shall be lawful for the prothonotary of the court of common pleas of said county, to deliver to them or either of them, the bond filed by them in said court, bearing date the twenty-fourth June, one thousand eight hundred and fifty, and the sureties to which were approved the second August, one thousand eight hundred and fifty, conditioned for the faithful appropriation of the proceeds of sale of said lots of land.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 438.

A SUPPLEMENT

To an act relating to Assignees for the benefit of Creditors and other Trustees.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever any person making an assignment of his or her estate situate within this commonwealth, for the benefit of creditors, shall be resident out of this state, such assignment may be recorded within any county where such estate, real or personal, may be, and take effect from its date: *Provided,* That no *bona fide* purchaser, mortgagee or creditor, having a lien thereon before the recording in the same county, and not having had previous actual notice thereof, shall be affected or prejudiced, and the courts of common pleas may dismiss or appoint trustees under such assignment, as in other cases.

Assignments
made out of this
state, to be re-
corded.

Proviso.

SECTION 2. That whensoever any trust, power or authority shall be, in manner provided in the act to which this is a supplement, conferred on two or more persons by name, and one or more of them shall die, renounce, or be legally discharged from fulfilling such trust, or exercising such power, the survivors or survivor, or remaining trustees, shall have and exercise all the title and authority which the whole might have done, unless the trust or power conferred, shall require the whole number to act, in which case the vacancies shall be filled in manner provided by the act to which this is a supplement.

Surviving trustees may execute trusts.

SECTION 3. That it shall be lawful for the court of common pleas of the proper county, upon notice to the parties in interest, whenever, in the opinion of the court, it will promote the interest of any estate held in trust, composed of both real and personal property, to order on the petition of the trustee and

Expenditure of trust fund authorized in certain cases.

beneficial owner, for at least a life estate, that the personal property, or a portion thereof, shall be applied for the improvement and greater productiveness of the real estate; and it shall be the duty of the trustee to keep an account of such expenditure, and if the personal and real estate shall go to different persons in remainder or reversion, there shall be no change of the rights of such persons, but such expenditure shall be a charge on such realty, in favor of those entitled to the personalty, and be recoverable by decree in such court, and if necessary, an order or decree of sale, as in the case of orphans' court sales.

Termination of
trusts.

SECTION 4. That whenever, by the agreement of competent parties, the further execution of any trust has become useless, it shall be lawful for such court to decree a reconveyance, as provided by the act to which this is a supplement, in case of a trust executed or expired.

Vacancies in trust
offices, how filled.

SECTION 5. That the power of the court, under the twenty-third section of the act to which this is a supplement, shall extend to fill vacancies, in cases where a surviving trustee shall have died, although the legal title may have descended to his or her heir-at-law, with like effect as in cases where a sole trustee shall have renounced the trust, and his vacancy has been supplied.

Certain proceed-
ings validated.

SECTION 6. That whenever any executor or other trustee having a power to sell real estate, shall have taken, or shall take any payment in money or other thing, on account of a sale made under such a power, and shall die or afterwards be removed from his office or trust, it shall not be lawful for any successor to the power or trust, or other person interested, to require the vendee to repeat such payment, unless he shall have knowingly connived with such executor or trustee so selling to him, to violate his power or trust.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 439.

AN ACT

Supplementary to an act incorporating the York and Conewago Canal Turnpike Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the charter of the York and Conewago Canal turn-*

pike road company, approved second of March, one thousand eight hundred and nine, as requires the number of directors to be twelve, be so amended as to be read six.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 440.

AN ACT

Supplementary to an act, entitled "An Act to incorporate the Byberry and Poquesen Turnpike Road Company, and relative to the publication of the final report on the Geological Survey of the State," approved April fourteenth, one thousand eight hundred and fifty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in addition to the persons heretofore provided for in said act, the members, and the principal and assistant clerks of each house of the general assembly, for the year one thousand eight hundred and fifty-five, shall be entitled to receive one copy of the state geological survey, and one copy shall be also sent to each state government, to the congressional library and to each public library of this commonwealth: *Provided,* That no individual member, clerk or library shall be entitled to receive more than one copy of said work. Distribution of Geological survey.

SECTION 2. That the secretary of the commonwealth be and he is hereby directed to contract with Professor Henry D. Rogers for the publication of the final geological report of the survey made by him on behalf of the state, with the accompanying maps, plates, cuts and engravings, and the furnishing to the state of one thousand copies thereof, according to the proposals, specifications and contract adopted and entered into between the commonwealth and Hogan & Thompson, in the year one thousand eight hundred and fifty-one: *Provided,* That the said contract shall stipulate for the complete publication and delivery of said work within three years from the first day of April, one thousand eight hundred and fifty-five; and the said Henry D. Rogers shall enter into a bond, with sufficient security, for the faithful performance thereof. Contract for publication of report

SECTION 3. That the secretary of the commonwealth is further authorized to stipulate in said contract for the publication of the large state map, accompanying said report, upon twice its present Publication of State map

Proviso.

scale: *Provided*, That the additional cost of said enlargement shall not exceed the sum of two thousand dollars.

Appropriation.

SECTION 4. That the sum of nineteen thousand dollars is hereby appropriated for the purposes aforesaid, to be paid on the warrants of the governor, as follows, to wit: Three thousand dollars on the first day of October next, three thousand dollars on the first day of April, one thousand eight hundred and fifty-six, seven thousand dollars on the first day of April, one thousand eight hundred and fifty-seven, and the last instalment as soon as one thousand copies of said work are delivered, according to the said contract; but before the payment of either of these instalments, the secretary of the commonwealth shall be satisfied of the due progress of said work; and all former appropriations to said objects be and the same are hereby repealed.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 441.

AN ACT

To widen Jarvis Lane, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Jarvis lane, in the First ward, between Third and Fourth streets, in the city of Philadelphia, at present laid out twelve feet wide, shall be increased to the width of twenty-five feet, by throwing off six feet and six inches on the north side, for the entire distance from Third to Fourth streets, and also six feet six inches on the south side, from the east side of Fourth street to the west side of a thirty feet wide court or street, at the distance of about two hundred and eight feet east from Fourth street, the property of Lester D. Fuller, as now built, to remain unchanged; and that the damage, if any, be assessed and paid as now provided by law.*

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 442.

A N A C T

To authorize the draining of Birch Pond, in Bristol township, Bucks county.

WHEREAS, It has been represented to the legislature that large quantities of water are from time to time accumulating, so as to form a pond, covering a large area, known as the Birch pond, upon lands of Samuel Hulme, Robert Wright and William B. Rogers, in the township of Bristol, in the county of Bucks; that said pond is believed to be the source of sickness, occasioned by the noxious vapors arising therefrom, and is known to cause great loss to the above landholders, by overflowing and rendering unproductive much valuable land; that it is impracticable to drain said pond, except by a ditch across the intervening lands to the Neshamony creek, and culverts under the several public roads crossed thereby, and that the present ditch is not sufficient for that purpose; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Samuel Hulme, Robert Wright and William B. Rogers, their heirs and assigns, owners of the lands first above mentioned, be and they are hereby authorized to construct a drain, for the purpose of carrying off the waters collected in and upon their said lands in Bristol township, called the Birch pond.

SECTION 2. That for the purpose aforesaid, the said above named persons, their heirs and assigns, shall have power to enter upon the lands lying between the said pond and creek, and dig trenches in, along and across the same, either on the route of the present ditch or water course, widening and deepening the same where necessary, or constructing a new ditch, in part, near to and in lieu of the former, in such manner as to do the least injury to private property: *Provided,* That no change shall be made in the route, without the consent of the owners of the lands where such new parts are made, and make such ditch or water course of sufficient capacity to drain said pond, and shall also have the power, and it shall be their duty, to keep in repair and cleanse the same, in case the owners of lands through which it runs shall fail so to do.

SECTION 3. That it shall be the duty of the supervisors of Bristol township to provide and keep in repair, at the cost of the said township, a culvert across the public road from Bristol to Newport, where it is crossed by the drain constructed as aforesaid, sufficient to carry off the waters of said drain, either by enlarging the present culvert, or, if necessary, constructing a new one near to the same.

SECTION 4. That the owners of any lands through which the said drain shall be constructed as aforesaid, may, at any time after the completion of the same, apply by petition to the court of quarter sessions of the said county of Bucks, setting forth the injuries which he, she or they may have sustained thereby, and thereupon the court shall appoint six disinterested persons

Preamble.

Samuel Hulme and others to construct a drain.

Privileges.

Proviso.

Duty of supervisors of Bristol township.

Damages, how paid.

to view the premises and assess the damages (if any) which such petitioners may have sustained, who shall make report, in writing, to the next court of quarter sessions; and if the report be approved by the court, the damages (if any) shall be paid by the said landholders above named, their heirs or assigns, to the party or parties entitled.

Expenses and
damages to be
paid equally

SECTION 5. That the expense of constructing said ditch as aforesaid, and the amount of damages assessed as aforesaid, (if any,) shall be paid by the said Samuel Hulme, Robert Wright and William B. Rogers, their heirs and assigns, in equal proportions or shares.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 443.

A SUPPLEMENT

To an act to incorporate the Halter Creek Turnpike Road Company, approved the fifth day of May, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Halter Creek turnpike road company is hereby authorized and required to locate and construct said road from the Pattonsville and Woodbury turnpike road, at or near Spang's mills, in Blair county, to Bloomfield furnace, in Bedford county, instead of the points named in the act to which this is a supplement.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 444.

AN ACT

To prevent and punish wanton cruelty to Animals in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act any person or persons who shall, in the city of Philadelphia, wantonly or cruelly maltreat, beat or otherwise abuse any animal or animals, belonging either to himself or to others, shall be deemed guilty of a misdemeanor, and shall be fined by any alderman of said city, for the first offence, in a sum not less than five dollars nor more than ten dollars, and for the second and every subsequent offence, in a sum not less than ten nor exceeding twenty dollars, to be paid to the guardians of the poor for the use of the said city; and if said fine or penalty be not paid, then said alderman shall commit said offender to the county prison, there to remain until discharged by due course of law: *Provided, That* when the fine imposed exceeds the sum of five dollars, the party complained against may appeal from the decision of said alderman to the court of quarter sessions, upon his entering bail in the nature of a recognizance in the usual manner, for his appearance at said court, where the offence shall be prosecuted in the same manner as is now directed by law in such cases: *And provided also, That* the provisions of this act shall in no way interfere with the present common law remedy by indictment, except when the party has been tried before an alderman as aforesaid, and the case not appealed from or returned to the court of quarter sessions.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 445.

AN ACT

Relative to taxes in the borough of Smethport, county of M'Kean.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the burgess and town council of the borough of Smethport, in the county of M'Kean, shall, for the year one thousand eight hundred and fifty-five, and thereafter, have authority to levy a tax on the assessed valuation of property therein, for borough purposes, to any amount not exceeding one per cent. on the dollar of such assessed valuation.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 446.

A SUPPLEMENT

To an act, entitled "An Act relating to Roads, Highways and Bridges," approved June thirteenth, one thousand eight hundred and thirty six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the several courts of quarter sessions of this commonwealth shall have power, within their respective counties, to inquire of and to change or vacate the whole or any part of any public or private road which may have been laid out by authority of law, and opened in part; and the said court shall proceed therein by views and reviews in the manner provided for the vacating of other roads by existing laws: Provided, That this act shall not apply to state roads authorized by a special law, or to any street, lane or road within any incorporated city or borough.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 447.

A FURTHER SUPPLEMENT

To an act to authorize the Governor to incorporate the West Chester and Philadelphia Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the true intent, meaning and construction of the act approved the thirtieth day of March, one thousand eight hundred and fifty-five, entitled "A further supplement to the act, entitled 'An Act to authorize the governor to incorporate the West Chester and Philadelphia railroad company,' " is hereby declared to be, that the provision contained in the fifth section thereof, in the following words, to wit: "Provided further, That this section shall not go into effect until at least two thousand shares of said preferred stock shall be subscribed, nor until one hundred thousand dollars in cash shall have been paid on account of subscriptions to the preferred stock," applies only to the creation and issue of preferred stock, in case the said company should have determined to issue the same, and is nowise applicable to the bonds authorized by the said section to be issued; and that upon the stockholders having determined to issue bonds in lieu of preferred stock, the said recited proviso is hereby declared and construed to be of no effect.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 448.

AN ACT

Relating to Corporations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That every charter of incorporation granted, or to be granted, shall*

be deemed and taken to be subject to the power of the legislature, unless expressly waived therein, to alter, revoke or annul the same, whenever in their opinion it may be injurious to the citizens of the commonwealth; in such manner, however, that no injustice shall be done to the corporators, and as fully as if the reservation of said power had been therein expressed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 449.

AN ACT

To exempt from taxation the Union School and Children's Home, and Northern Home for Friendless Children, in Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the real estate of the trustees of the Union school and children's home, incorporated by an act of assembly, passed the twelfth day of March, one thousand eight hundred and fifty-one, entitled "An Act to incorporate the Union school and children's home asylum," et cetera, situate in the city of Philadelphia, at the south-east corner of Twelfth and Fitzwater streets; and also the property situated at the north-east corner of Brown and Nixon streets, belonging to the corporation styled the Northern Home for friendless children, be and the same is hereby exempted from taxation, so long as the same shall continue to be exclusively occupied by the said corporation for the purposes mentioned in the said act.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 450.

A FURTHER SUPPLEMENT

To the several acts relating to the tax upon Collateral Inheritances.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the penalty of twelve and-a-half per cent. per annum imposed for the non-payment of the collateral inheritance tax, shall not be carried back to a period antecedent to the time when there should by law have been a settlement of the estate, or such part thereof as such tax is chargeable upon; but where from claims made upon the estate, litigation, or other unavoidable cause of delay, the estate of any decedent or a part thereof cannot be settled up at the end of a year from his or her decease, six per cent. per annum shall be charged upon the collateral inheritance tax, from the end of such year until there be default as aforesaid, and paid with the tax: *Provided*, That where the estate real or personal withheld in manner aforesaid from the parties entitled thereto, subject to such tax, has not been, or shall not be productive to the extent of six per centum per annum, they shall not be compelled to pay a greater amount as interest to the commonwealth than they may have realized, or shall realize from such estate during the time the same has been or shall be withheld as aforesaid: *And provided further*, That said penalty shall not be charged on any collateral tax on any legacy or demise, to come hereafter into actual possession and enjoyment after the expiration of a previous life estate, or term of years therein, until the same shall come into actual possession and enjoyment, whether by limitation or power of appointment; and if such legatees or devisees shall elect to pay said tax in anticipation of the same coming into actual possession and enjoyment, the same shall be received at the then valuation of the legacy or devise, deducting the value of the life estate or term of years.

Calculation of interest regulated

Proviso

Proviso

SECTION 2. That it shall be a misdemeanor in any appraiser appointed by the register to make appraisement in behalf of the commonwealth, to take any fee or reward from any executor, administrator, legatee, next of kin or heir of any decedent; and for any such offence the register shall dismiss him from such service, and upon conviction in the quarter sessions he shall be fined not exceeding one hundred dollars, and imprisoned not exceeding thirty days.

Appraisers to receive no fee or reward.

SECTION 3. That it shall be the duty of the register of wills of each county, to keep and leave in his office as a public record, the book containing the charges and credits for collateral inheritance tax, and all collateral inheritance taxes not sued for within twenty years after they accrued, shall be presumed to have been paid and cease to be a lien as against any purchasers of real estate.

Account book to be kept.

All cases included
in this act where
the money has
not been actually
paid.

SECTION 4. This act shall be taken to include all cases in which the money shall not have been actually paid over, and any difference occasioned hereby, shall be deducted from any judgment heretofore rendered by adjustment of the court.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 451.

AN ACT

For the relief of Margaret Yeager, widow of George Yeager, a soldier of the Revolutionary war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the state treasurer be and he is hereby authorized and required to pay Margaret Yeager, of Dauphin county, widow of George Yeager, deceased, a soldier of the Revolutionary war, an annuity of forty dollars during her life, to be paid half-yearly, commencing on the first day of January, Anno Domini one thousand eight hundred and fifty-five.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 452.

AN ACT

To authorize the managers of the House of Refuge for Western Pennsylvania to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the managers of the house of refuge for western Pennsylvania, be and they are hereby authorized to borrow any sum or sums of money, not exceeding in the aggregate, twenty thousand dollars, and issue the bonds of the corporation therefor, bearing any rate of interest, not exceeding seven per cent. per annum, and to dispose of the same at such rates, above or below par, as may be agreed upon by the parties; and such sale shall be as valid as if sold at par: Provided, That no bond shall be issued for a less sum than one hundred dollars.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED--The fourth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 453.

AN ACT

Relative to the rights of the owners of ground taken for the Delaware and Schuylkill canal, city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That nothing in the eighth section of the act, approved May fifteenth, one thousand eight hundred and fifty, entitled "An Act to incorporate the Unity turnpike and plank road company, and for other purposes," shall be so construed as to deprive any landowner of his vested rights in the soil taken for the purposes of the Delaware and Schuylkill canal, which rights may have accrued by reason of the non completion of the said canal within the period theretofore limited by law, or otherwise howsoever;*

but on the contrary, the rights of every such owner shall stand and remain as if such section of the act aforesaid had never been enacted, and unaffected by anything therein contained: *Provided*, That nothing herein contained shall be so construed as to affect the rights of third persons.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 454.

AN ACT

To revive and continue in force the law Graduating Lands upon which purchase money is due the Commonwealth, passed April the tenth, one thousand eight hundred and thirty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the provisions of an act to graduate lands upon which money is due and unpaid the Commonwealth, passed the tenth day of April, Anno Domini, one thousand eight hundred and thirty-five, are hereby revived and continued in force until the first day of December, one thousand eight hundred and fifty-seven.

SECTION 2. That the boards of appraisers designated in said act shall, before appraising any lands under the provisions thereof, take and subscribe an oath or affirmation in open court of the proper county, or before one of the judges in vacation or justice of the peace, justly and impartially to appraise and graduate the same according to the cash value of the land at the time of such valuation, excluding the value of the improvements thereon; and no certificate of valuation shall be acted on by the surveyor general, unless a certified copy of said oath or affirmation be filed in the surveyor general's office: *Provided*, That where certificates have already issued from such board of appraisers on valuations heretofore made, the same shall be valid, notwithstanding the oath or affirmation required herein have not been filed.

SECTION 3. That from and after the twenty-fifth day of March next, this act shall only extend to lands patented by actual settlers resident thereon, or their heirs or alienees; and not more than two patents shall be issued under its provisions to the same party, proof of residence to be furnished by the affidavit of some disinterested person, and filed in the surveyor general's

Not extended until first December 1855

Appraisers to be sworn

Copy of oath to be filed

Proviso

Application of this act limited.

office: *Provided*, That when two patents shall issue to the same party, he shall not be required to be a resident on more than one tract. Proviso.

SECTION 4. That the time for patenting the in-lots and out-lots in the towns of Erie, Waterford, Franklin, Beaver and Warren, authorized to be appraised by the fifth section of an act, entitled "An Act empowering the burgess and town council of the borough of Erie to supply the said borough with water, and for other purposes," passed the sixteenth day of April, one thousand eight hundred and thirty-eight, be and the same is hereby revived and extended until the first day of February, Anno Domini one thousand eight hundred and fifty-seven. Time for patenting certain lots extended.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

• APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 455.

A FURTHER SUPPLEMENT

To the act incorporating the Sunbury and Erie Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the fifth section of the act, entitled "A further supplement to the act incorporating the Sunbury and Erie railroad company," approved the eighth day of May, Anno Domini one thousand eight hundred and fifty-four, which provides that so much of the fourth section of the act of the twenty-seventh day of March, Anno Domini, one thousand eight hundred and fifty-two, as requires that the jurors or assessors of damages shall be appointed from adjoining counties, is hereby repealed, be and the same is hereby repealed, so far as respects cases that had been commenced in court, to secure damages prior to said eighth day of May, Anno Domini one thousand eight hundred and fifty-four.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

We do certify, that the bill, entitled "A further supplement to the act incorporating the Sunbury and Erie railroad company," was presented to the governor on the twentieth day

of April, one thousand eight hundred and fifty-five, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

ADIN W. BENEDICT,
Clerk of the House of Representatives.

GEO. W. HAMERSLY,
Clerk of the Senate.

HARRISBURG, *May 4, 1855.*

No. 456.

AN ACT

Relating to certain duties and rights of Husband and Wife, and Parents and Children.

Power of married women to devise their property by will, regulated.

Provided.

Wives may become feme sole traders.

Their property shall be their own.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the power of any married woman to bequeath or devise her property by will, shall be restricted, as regards the husband, to the same extent as the husband's power so to dispose of his property is restricted, as regards the wife, namely: so that any surviving husband may, against her will, elect to take such share and interest in her real and personal estate as she can when surviving, elect to take against his will in his estates, or otherwise to take only her real estate as tenant by the curtesy: *Provided,* That nothing herein contained shall affect the right or power of the wife by virtue of any authority or appointment contained in any deed or will, to grant, bequeath, devise as heretofore, any property held in trust for her sole and separate use.

SECTION 2. That whensoever any husband, from drunkenness, profligacy or other cause, shall neglect or refuse to provide for his wife, or shall desert her, she shall have all the rights and privileges secured to a *feme sole* trader, under the act of the twenty-second of February, one thousand seven hundred and eighteen, entitled "An Act concerning *feme sole* traders," and be subject as therein provided, and her property, real and personal, howsoever acquired, shall be subject to her free and absolute disposal during life, or by will, without any liability to be interfered with or obtained by such husband, and in case of her intestacy shall go to her next of kin, as if he were previously dead.

SECTION 3. That whensoever any husband or father, from drunkenness, profligacy or other cause, shall neglect or refuse to

provide for his child or children, the mother of such children shall have all the rights and be entitled to claim, and be subject to all the duties reciprocally due between a father and his children, and she may place them at employment and receive their earnings, or bind them to apprenticeship without the interference of such husband, the same as the father can now do by law: *Provided always*, That she shall afford to them a good example, and properly educate and maintain them according to her ability: *And provided*, That if the mother be of unsuitable character to be entrusted as aforesaid, or dead, the proper court may appoint a guardian of such children, who shall perform the duties aforesaid, and apply the earnings of such children for their maintenance and education.

Mothers shall have all the father's rights over her children, when.

Proviso.

SECTION 4. That creditors, purchasers and others may, with certainty and safety, transact business with a married woman under the circumstances aforesaid, she may present her petition to the court of common pleas of the proper county, setting forth under affidavit, the facts which authorize her to act as aforesaid, and if sustained by the testimony of at least two respectable witnesses, and the court be satisfied of the justice and propriety of the application, such court may, upon such notice as they may direct, make a decree and grant her a certificate, that she shall be authorized to act, have the power and transact business as hereinbefore provided; and such certificate shall be conclusive evidence of her authority, until revoked by such court for any failure on her part to perform the duties by this act made incumbent upon her, which may be ascertained upon the petition of any next friend of her children.

Proceedings to declare a wife a feme sole trader.

SECTION 5. That no husband who shall have as aforesaid, for one year or upwards previous to the death of his wife, wilfully neglected or refused to provide for his wife, or shall have for that period or upwards wilfully and maliciously deserted her, shall have the right to claim any right or title in her real or personal estate after her decease, as tenant by the curtesy, or under the intestate laws of this commonwealth.

When husband to have no interest in estate of wife.

SECTION 6. That no father who shall have as aforesaid, for one year or upwards previous to his death, wilfully neglected or refused to provide for his child or children, shall have the right to appoint any testamentary guardian of him, her or them, during minority.

When father loses right to appoint testamentary guardian

SECTION 7. That it shall be lawful for any person desirous of adopting any child as his or her heir, or as one of his or her heirs, to present his or her petition to such court in the county where he or she may be resident, declaring such desire, and that he or she will perform all the duties of a parent to such child; and such court, if satisfied that the welfare of such child will be promoted by such adoption, may, with the consent of the parents or surviving parent of such child, or if none, of the next friend of such child, or of the guardians or overseers of the poor, or of such charitable institution as shall have supported such child for at least one year, decree that such child shall assume the name of the adopting parent, and have all the rights of a child and heir of such adopting parent, and be subject to the duties of such child, of which the record of the court shall be sufficient evidence: *Provided*, That if such adopting parent shall have other children, the adopted shall share the inheritance only as one of them in case of intestacy, and he, she

Adoption of children, and changing of their names.

Proviso.

or they shall respectively inherit from and through each other, as if all had been the lawful children of the same parent.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 457.

A FURTHER SUPPLEMENT

To an act, entitled "An Act to incorporate the Pennsylvania Savings Fund of Philadelphia," approved the twelfth day of April, Anno Domini one thousand eight hundred and fifty one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the president and treasurer of said corporation shall be elected annually by the board of directors, at such time and place as may be fixed by the by-laws; so much of any law directing the mode of electing said officers as is hereby altered or supplied, is hereby repealed; seven members of the board shall constitute a quorum, and they shall have power to enact and enforce such by-laws, rules and regulations, not inconsistent with the constitution and laws of this commonwealth, as may be deemed necessary for the regulation and transaction of the business of said corporation.

SECTION 2. That E. S. Goodrich is hereby constituted and appointed one of the corporators, in the same manner, and with the same powers and privileges as those enumerated in the sixth section of a supplement approved fourth May, one thousand eight hundred and fifty-four: *Provided*, That this corporation shall not issue scrip in payment of dividends, or any paper, bill or note to be circulated as bank notes, nor exercise any banking privileges whatsoever, except such powers and privileges as are conferred by the act to which this is a further supplement.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

Election of officers

Quorum

E. S. Goodrich
named corporator

Banking

No. 458.

AN ACT

Relative to the Supervisors and School Directors of Barnett township, in Forest county.

WHEREAS, In running the lines which separates Forest county from the county of Jefferson, the township of Barnett was divided:

And whereas, Previous to such the division of Barnett township, a number of debts for road purposes and school purposes had been contracted by the said township of Barnett, with divers individuals:

And whereas, The greatest portion of the unseated lands were stricken off into the county of Forest; and Barnett township, in Forest county, refuses to pay her proportionable part of such debts, there being no law to compel her to do so; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the supervisors and school directors of Barnett township, in Forest county, are hereby required, as fast as they receive the road and school taxes arising from the unseated lands within said township, to appropriate the same to the liquidation of said debts, in proportion to the valuation of the unseated taxes that may become due upon the unseated lands in the township of Barnett, in Jefferson county; and in case of a failure so to do, for the space of thirty days after demand made upon them for that purpose, the court of common pleas of Jefferson county are hereby authorized and required to proceed, by attachment, to enforce the payment of the same: *Provided*, That the moneys aforesaid are not to be paid upon any debts or judgment contracted subsequent to first September, one thousand eight hundred and fifty-three.

HENRY E. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 459.

A N A C T

For the relief of William Able.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the canal commissioners be and they are hereby authorized, should they consider it proper and expedient, to draw their warrant on the state treasurer, in favor of William Able, for such an amount as they deem the services of said William Able to have been worth to the commonwealth, over and above the sum he has received as assistant weigh-master at Easton; and the state treasurer is hereby authorized to pay said warrant, providing the amount thereof shall not exceed the sum of two hundred and ten dollars.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 460.

A N A C T

To authorize the administrators of R. P. Wallace, and executor of Susan Gemmill, to join in making a deed to the heirs of W. Laird.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Benjamin F. Wallace and John G. Fleck, administrators of the estate of Robert P. Wallace, deceased, and John N. Swope, executor of the last will and testament of Susan Gemmill, deceased, are hereby authorized to join in a deed with all the other parties still surviving, whom the said Samuel P. Wallace represented in making said agreement, for the purpose of conveying said land in fee simple to the persons entitled to the same under the last will and testament of said William Laird, deceased, viz: To William Laird, Robert A. Laird, Margaret Laird, Os-*

burn Laird, John S. Laird, Mary Catharine Laird, Sarah Ann Laird, Milton Laird and Samuel Calvin Laird; and Robert A. Laird and Peter Striker, executors of the last will and testament of William Laird, deceased, are hereby authorized to execute and deliver to the said parties executing said deed, a bond or bonds and mortgage of said land to secure the purchase money of said land, or so much thereof as may remain unpaid at the delivery of the deed for the same; and the deed so executed and delivered shall vest the title of said lands in fee simple in the said children of William Laird, deceased; and the bonds and mortgage so executed shall bind and be a lien upon said lands, and become a debt of the estate of the said William Laird, deceased, to be paid by his executors: *Provided*, That said land shall remain liable, notwithstanding the title is vested in the said children, to be sold for the debts of said estate of William Laird, deceased, if necessary so to do: *And provided further*, That said administrators of Robert P. Wallace, deceased, and said executor of Susan Gemmill, deceased, before receiving their proportionate parts of said purchase money, shall give such security as may be ordered by the orphans' court of Huntingdon county.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 461.

A FURTHER SUPPLEMENT

To the act incorporating the Donaldson Improvement and Railroad Company, formerly the Eagle Iron Company, approved on the fifth day of May, Anno Domini one thousand eight hundred and forty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the supplement to the act to which this is a further supplement, approved the fifteenth day of March, Anno Domini one thousand eight hundred and fifty-five, is erroneous in its title in referring to the original act, as approved on the fifth day of May, Anno Domini one thousand eight hundred and fifty-one, instead of one thousand eight hundred and forty-one, which latter date is the true date of the act; and that the third section of the said supplement, as far as it relates to the increase of

LAWS OF PENNSYLVANIA,

capital stock, shall be taken to mean sixty-eight thousand additional shares.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 462.

A FURTHER SUPPLEMENT

To an act to establish a Ferry over the river Susquehanna, at or near Ulster, in Bradford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all persons except Henry S. Davidson, his agents or assigns, are hereby prohibited from using said Susquehanna river for the purpose of a ferry, within a distance of a half mile of said established ferry; and any person or persons violating the provisions of this act, shall forfeit and pay to the said Henry S. Davidson, his heirs and assigns, the sum of fifty cents for every traveler, team, every head of cattle, horse or carriage, over the said river, within the said above named bounds.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 463.

AN ACT

Supplementary to an act, entitled "An Act to incorporate the Independent Mutual Insurance Company," approved the eighteenth day of April, Anno Domini one thousand eight hundred and fifty three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the board of directors of the Independent mutual insurance company shall have the power to change the time for the ending of the business year of the said company, and for the election of directors thereof, from the first day of June to any other time they may deem convenient for the business of the company: Provided, That this corporation shall not issue scrip in payment of dividends, or any paper, bill or notes, to be circulated as bank notes, nor exercise any banking privileges whatsoever.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 464.

AN ACT

Relating to Supervisors and the Contractors to repair Public Roads in certain townships in Schuylkill county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That in the several townships in Schuylkill county, in which the repairs of the roads or highways thereof, either in the whole or in parts thereof, are authorized or required by law to be annually offered for sale, or contracted or let out, it shall be the duty of each supervisor, and of each contractor, as to the roads or parts thereof which he shall agree to repair, to keep the roads and parts thereof aforesaid, in good repair; and upon failure so to do, they shall be deemed guilty of a misdemeanor, and either*

Supervisors and contractors may be indicted for not keeping roads in repair.

the supervisor or supervisors, or the contractor, or one or all of them may be indicted, and upon conviction, shall be punished by fine or imprisonment, or both, in the discretion of the court of general quarter sessions of the peace of said county.

Supervisors not to be interested in contracts for repair of roads.

SECTION 2. That any supervisor in any one of the said townships who shall become, or be either directly or indirectly interested in the contract for the repair of the roads, or any part of any road in his township, shall be deemed guilty of a misdemeanor, and upon conviction, shall be punished in like manner as aforesaid.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 465.

AN ACT

To confirm the title to a certain lot in Sewickleyville, Allegheny county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the deed made and executed on the twenty-sixth day of May, one thousand eight hundred and fifty-one, by William Courtney, William Morrison, John Means, Thomas Hamilton, J. B. Barkhouse and Paul A. Way, by their authorized attorneys, Doctor William Woods and Paul A. Way, of Ohio township, Allegheny county, to Elias Ginnis, of the same place, be and the same is hereby ratified and confirmed, and the title to the same lot is hereby made and declared to be firm and stable in and to the said Elias Ginnis, his heirs and assigns forever.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 466.

AN ACT

To enable John E. Carver and Mary Crim, trustees, to convey the trust property to Sarah Ann Parsons, the *cestui que trust*, and to abolish the said trust.

WHEREAS, On the sixteenth day of June, Anno Domini one thousand eight hundred and fifty-two, Sarah Ann Crim, being seized of certain real estate, and possessed of certain personal property, by indenture bearing date that day, conveyed all her said estate to John E. Carver and Mary Crim, in trust for her sole use and benefit during her coverture, with full power to her to will the same, and in default of any will, then to go to her heirs and next of kin, and afterwards intermarried with Doctor Stephen Parsons, who by indenture confirmed the trust and trust deed :

And whereas, The said trust is found to be detrimental and inconvenient to all the parties thereto, and to embarrass the estate of the said Sarah Ann ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That at any time after the passage of this act, the said John E. Carver and Mary Crim may re-convey and assign to the said Sarah Ann Parsons, by indenture or otherwise, all the estate and property of whatsoever description, now held by them as trustees under the said indenture of trust, dated the sixteenth day of June, Anno Domini one thousand eight hundred and fifty-two ; and the said trust shall be forever abolished and extinct, and the said Sarah Ann shall have and repossess the said trust property in her own right, as fully and entirely as if the said indenture of trust had never been made : *Provided*, That from and after such conveyance and assignment, the said trustees shall be forever discharged from all and every trust and responsibility assumed by them by virtue of the said trust and deed of trust.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 467.

A N A C T

Relative to the appointment of Tax Collectors in Montgomery county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, in all cases where the commissioners of the county of Montgomery do not appoint the constables or constable of either or any of the wards, boroughs, or townships of said county, to be collector of state and county taxes, such appointments before they are valid, shall be subject to the approval of a majority of the judges of the court of quarter sessions of said county: Provided, That this act shall not interfere with any appointment made prior to its going into effect.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 468.

A N A C T

To validate the action and extend the privileges of the Towanda and Burlington Plank Road Company.

Preamble.

WHEREAS, The stockholders of the Towanda and Burlington plank road company omitted and neglected to meet on the first Monday of November in the year of our Lord one thousand eight hundred and fifty-four, and choose officers of said company for the then ensuing year:

And whereas, The officers elected the year previous, have continued and are still continuing to act as said officers; therefore,

Certain acts validated.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That all the acts of said officers since the first Monday of November last, and up to the time when their successors shall be chosen*

and qualified as hereafter provided, shall be and hereby are confirmed, and shall be deemed and considered as firm and effectual for all purposes, as if they had been duly chosen on said first Monday of November last.

SECTION 2. That the stockholders of said company shall meet on the second Monday of June, in the year of our Lord one thousand eight hundred and fifty-five, at the place and within the hours fixed by their by-laws and regulations for the purpose of choosing officers, and shall then and there choose officers of said company; and the officers thus chosen shall hold for the unexpired portion of the year, and have the same power as if they had been chosen on the first Monday of November last: *Provided however*, That the present acting officers shall have previously given twenty days' notice of said election, in the manner provided by their by-laws for giving notice of annual elections.

Election of officers.

Proviso.

SECTION 3. That the Towanda and Burlington plank road company shall have power to construct any portion of their road upon a grade which may at any place form an angle not exceeding eight degrees from a horizontal line.

Grade of road.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 469.

AN ACT

To allow the Cashier of the Warren County Bank to hold the office of Prothonotary.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the act relating to banks, which prohibits cashiers of banks of this commonwealth from engaging in any other employment, occupation or calling, is hereby declared so far inoperative as to allow the cashier of the Warren County Bank to discharge the duties of prothonotary, until his successor shall be duly qualified: *Provided*, That the said prothonotary shall resign his office within sixty days from the passage of this act, to take effect in December next: *And provided further*, That it shall

be the duty of the qualified voters of said county to elect a successor at the next general election.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 470.

A SUPPLEMENT

To an act for the defining the Boundary Line between the city of Philadelphia and Montgomery county, approved the twenty-first day of April, one thousand eight hundred and fifty-five.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the first section of the act to which this is a supplement, as provides that the road to be laid out along the boundary line between the city of Philadelphia and Montgomery county, shall not be widened or laid out within thirty feet of any substantial building, be and the same is hereby repealed.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 471.

A FURTHER SUPPLEMENT

To an act to create permanently the office of State Printer.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the fifteen thousand extra copies of the report of the superintendent of common schools, authorized to be printed by the ninth section of an act, entitled "A further supplement to an act to create permanently the office of state printer," passed March fifteenth, one thousand eight hundred and fifty-three, shall hereafter be distributed as follows: There shall be delivered to the superintendent of common schools, for the use of that department, ten thousand copies, and to the legislature five thousand copies, to be distributed between the two houses, as provided by the said ninth section; and so much of said act as is hereby altered or supplied, be and the same is hereby repealed: *Provided,* That the said document shall have printed covers placed thereon; and that the seventh section of the act, approved March fifteenth, one thousand eight hundred and fifty-three, relative to the state printing, shall be so construed that the printer shall not receive additional allowance for printing upon or covering documents, other than the contract rates for such folding, composition and press-work.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 472.

A N A C T

Relating to the Borough of Wilkesbarre.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town council of the borough of Wilkesbarre may lease to

Council may
lease common to
Wilkesbarre gas
company.

the Wilkesbarre gas company such part of the common, at or near the river bank, in the borough of Wilkesbarre, as said company may want for their buildings and business, upon such terms, and for such time, with right of renewal, as may be agreed upon between said corporations.

May subscribe to
stock of said gas
company.

SECTION 2. The said council may, for said borough, subscribe to the capital stock of said gas company to any amount not exceeding ten thousand dollars, and in payment thereof, may issue the bonds of said borough, payable to bearer within twenty years, in sums of not less than one hundred dollars, said bonds to be on interest from date, payable yearly at the rate of six per cent. or less, and interest coupons may be attached to the said bonds: *Provided*, That the eleventh section of the act incorporating said gas company, be and the same is hereby repealed.

May issue bonds.

SECTION 3. The said council are hereby empowered and required to issue bonds in form, amounts and with interest, and payable as aforesaid, to an amount not less than ten thousand dollars, and not greater than twenty thousand dollars, which bonds may be delivered to the treasurer of Luzerne county, the same to be applied toward payment of cost of erecting a new court house and public offices in said borough, one-half the amount of said bonds to be paid into the treasury when the buildings shall be half completed, the other when they shall be fully completed: *Provided*, That the said court house shall be erected in the centre of the square of said borough: *And also provided*, That said councils and the commissioners of said county may at any time cause any buildings now on the square to be taken and removed, and after the erection of the new buildings, they shall cause all others to be removed.

Provided.

May levy tax to
pay bonds and
interest.

SECTION 4. That the said council is hereby empowered to levy such additional taxes on the property now taxable under existing laws in said borough, as may be required from time to time to meet the interest and principal of the said bonds as they may respectively fall due.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 473.

AN ACT

Supplementary to the act making an annual appropriation to the Philadelphia Society for Promoting Agriculture, approved the second of April, one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the period for the termination of the annual appropriation of six hundred dollars to the Philadelphia society for promoting agriculture, by the county of Philadelphia, be and the same is hereby extended for the term of ten years, from and after the passage of this act: Provided, That said appropriation shall be annually approved by the councils of the city of Philadelphia.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED--The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 474.

AN ACT

Changing the time of holding the Courts of Lycoming county

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the several courts of common pleas, orphans' court, court of quarter sessions and oyer and terminer, shall hereafter be commenced in the county of Lycoming, on the third Mondays of January, April, August and November, any law or usage to the contrary notwithstanding; and so much of any law as is hereby altered, be and the same is hereby repealed.*

SECTION 2. All process issued prior to the passage of this act, and made returnable to the next term of said court, at the time Process to be returned to August next.

provided by law, shall be returnable on the third Monday of August next.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 475.

A FURTHER SUPPLEMENT

To an act to authorize the Governor to incorporate a company to erect a bridge over the Allegheny River, at or near Sharpsburg, Allegheny county, approved the thirtieth day of March, one thousand eight hundred and thirty-eight.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the damages and compensation to be paid to the owner or owners of lands, which may be taken or appropriated by the company to erect a bridge over the Allegheny river, at or near Sharpsburg, in Allegheny county, for their said bridge, or the roads connecting therewith, which they are empowered to make, shall be ascertained and determined in the manner prescribed by the eleventh section of the act of assembly of this commonwealth, approved the nineteenth day of February, one thousand eight hundred and forty-nine, entitled "An Act regulating railroad companies."*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 476.

AN ACT

To release the late Prothonotary of Fulton county from the payment of certain taxes and fees on commissions and bonds.

WHEREAS, Jacob Reed, appointed to fill the vacancy occasioned by the death of Solomon Mason, late prothonotary of Fulton county, remaining in said office but ten months; that owing to the sparse population and small amount of business transacted, the county being but lately erected, he did not realize a fair compensation for his services, thereby rendering it unjust and burthensome that he should be charged with the full amount of the taxes and fees upon his commissions; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said Jacob Reed be and he is hereby released from the payment of the taxes and fees on his commissions and bonds, upon his paying into the treasury of the state the *pro rata* proportion of said taxes and fees, for the time he shall have held said office.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 477.

AN ACT

For the relief of Elizabeth Ward, widow of an old soldier.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the state treasurer be and he is hereby authorized and directed to pay Elizabeth Ward, of Luzerne county, widow of an old soldier of the Revolutionary war, a gratuity of forty dollars, and an annuity of forty dollars, during the term of her natural

life, to be paid half yearly, commencing on the first day of January, one thousand eight hundred and fifty-five.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 478.

A SUPPLEMENT

To an act to incorporate the West Ward Water Company of Easton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the West Ward water company to lay pipes, erect hydrants, introduce water and exercise all the powers, privileges and authority granted and conferred upon them by the act of incorporation to which this is a supplement, throughout the whole extent of the borough of Easton, excepting so much of the said act as is inconsistent with the provisions of this act: *Provided,* That in the erection and construction of the works of the said company, they shall not lay their pipes or erect their hydrants or other machinery in such way or manner as to interfere with or injure the pipes, hydrants or other machinery of the Easton water company heretofore laid, erected or constructed.

May lay pipes
across throughout
of Easton.

" " " "

May purchase
property of Easton
water company

SECTION 2. That it shall be lawful for the West Ward water company to purchase and consolidate all the property, real, personal or mixed, belonging and appertaining to the Easton water company, and the same to hold, occupy, use and enjoy together with all the rights, privileges, powers and authority of the said Easton water company of whatsoever kind or nature, upon such terms and conditions as may be agreed upon by the said companies, subject, nevertheless, to the liabilities, restrictions, regulations and requirements contained in the act of incorporation of the said Easton water company, and the several supplements thereto, and the act of incorporation of the said West Ward water company and this act.

May increase
capital stock.

SECTION 3. That it shall be lawful for the said West Ward water company to increase the number of their shares and amount of capital stock, and to issue certificates therefor to such number and amount as shall be necessary to carry into effect the provisions of this act, and to borrow any sum of money

not exceeding twenty thousand dollars, and to secure the payment of the same in the same manner as is provided in the thirteenth section of the act to which this is a supplement, and the same notice shall be given, and the same payments made as to the increase of shares and amount of capital as is provided in said act, for the organization and management of the said company.

SECTION 4. That it shall be the duty of the said West Ward water company, in addition to furnishing a sufficient supply of water for the extinguishment of fires as provided for in the eighth section of the act to which this is a supplement, to erect and keep in repair at their own expense, fire plugs as designated in said section, and in the event of an ornamental fountain being erected by the borough or citizens thereof, to supply the same with a reasonable quantity of water free of charge: *Pro-* Must put up fire
plugs.

Furnish water to
public fountain

Proviso.
vided, That in such parts of the said borough as the said company shall lay pipes and furnish water along the streets, in which the Easton water company have erected fire plugs, the said West Ward water company shall alternate with the said Easton water company, in the erection and keeping in repair of a sufficient number of fire plugs for the said borough.

SECTION 5. That it shall not be lawful for the West Ward company, the said Easton water company, or either of them after the first day of January next, to charge any person or persons or corporation for the use of water furnished by them, at a greater rate than the rates hereby established for the cases hereinafter enumerated; and it shall be the right of citizens of the said borough to demand and receive of the said water companies, or either of them, a supply of good water at any rate per annum not exceeding the following, which it shall be lawful for the said companies or either of them to demand and receive, at such times, and upon such conditions, as they or either of them shall by their by-laws establish for the furnishing of water generally: for each hydrant or the use of a hydrant, four dollars: for the first extra cock, one dollar, for the second and each subsequent cock, fifty cents; for every private bath, three dollars; for every public bath, five dollars; for every pave wash, three dollars; for the bar of every hotel, and for every place where liquors are sold and drank, twenty dollars; for every office, store, and for every shop where water is not used for mechanical purposes, one dollar; and for every other case not above enumerated, such reasonable sum as may be agreed upon by the parties. Water charges
regulated.

SECTION 6. That the qualified electors of the borough of Easton shall at their next annual borough election, and annually thereafter, elect three disinterested citizens of said borough, who shall be called water commissioners, whose duty it shall be to meet at the town hall of the said borough within twenty days after the said companies or either of them shall have laid their annual water tax, and notified each taxable of the amount of his, her or their tax, and hear the complaints of citizens of the said borough as to any injustice in the levying of said tax, and after hearing the parties present, the said water commissioners shall make such decree in the premises as shall be equal and just, and such decree shall be final between the parties: *Provided*, Water commis-
sioners.

Their duties.

Proviso.
That before proceeding to the performance of their official duties, they shall take and subscribe the constitutional oath of this commonwealth, and shall give at least five days' notice of such

Proviso.

meeting in at least two of the newspapers published in the said borough: *And provided*, That on failure to elect, or in case of vacation from any cause, the town council shall be authorized to appoint until the next annual election.

Repeal.

SECTION 7. That so much of the act of incorporation, to which this is a supplement, as renders real estate, or any interest in real estate, greater than a freehold, liable for water rents. is hereby repealed.

Dividends regulated.

SECTION 8. That it shall not be lawful for the said West Ward company after the passage of this act, to make a dividend among the stockholders thereof of any greater sum than ten per cent. of the net proceeds of the said company; and whenever the same shall exceed such sum, the excess thereof shall, under the approval of the court of common pleas of said county of Northampton, be invested in trust for the use of the said borough of Easton from time to time, until the amount of such fund shall equal the actual cost of the said water company, for the erection and construction of their works as aforesaid, when the said company shall accept the same, and in consideration thereof transfer all the rights and property aforesaid to the corporation of the borough of Easton; and until such time it shall be the duty of the managers of the said company to make and report to the said court an annual statement of the business affairs of the said company.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 479.

AN ACT

Relating to Canal and Navigation Companies.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That all incorporated canal and navigation companies shall have the same rights to obtain lands and materials for the repair, enlargement or improvement of their works as are conferred upon railroad companies, for the purposes therein named, by the tenth and eleventh sections of the act of nineteenth of February, one thousand eight hundred and forty-nine, entitled "An Act regulating railroad companies," the said navigation and canal companies paying for the said land and materials as provided for in said act: *Provided*, That this section shall not authorize any

canal or navigation company to occupy any street or alley not now occupied in any incorporated city or borough in this commonwealth.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 480.

A FURTHER SUPPLEMENT

To the act incorporating the Marshall Savings Association of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the directors of the Marshall savings institution of Philadelphia be and they are hereby authorized to loan the funds of the institution upon the capital stock thereof; but in no case shall the amount loaned exceed the actual sum paid in on each share; and the shares on which loans have been made shall in all cases be transferred to the institution as collateral security for the same, the fact of such transfer being entered on the books of the institution: *Provided, That* public notice shall first be given at a regular monthly meeting of the members of the institution, that good real estate security has not been tendered to said board of directors by any member thereof, for a loan.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 481.

AN ACT

To incorporate the Allegheny Plank Road and Turnpike Company.

Commissioners.

Style.

Route

Subject to.

Proviso.

Capital stock.

Proviso.

Commencement
and completion.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John Goss, D. J. Pruner, Jacob Binly, Jonathan Boynton and Daniel W. Moore, or a majority of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Allegheny plank road and turnpike company, with power to construct a plank road and turnpike road from at or near Crosse's tavern, on the turnpike leading from Philipsburg, Centre county, to the mouth of Trout run, and from thence to Tyrone city, by the nearest and best route, or as may be agreed upon and adopted by the stockholders, or a majority of them, at a meeting to be called for that purpose, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred and forty-nine: *Provided, That* when the company hereby incorporated shall have finished one mile or more of their road, the president thereof may give notice to the governor, who shall thereupon do and perform the duties prescribed in the twelfth section of the said act of the twenty-sixth day of January, one thousand eight hundred and forty-nine.

SECTION 2. That the capital stock of said company shall consist of five hundred shares, at twenty dollars per share: *Provided, That* said company may, from time to time, by a vote of the stockholders at a meeting called for that purpose, increase their capital stock so much as in their opinion may be deemed necessary to carry out the true intent and meaning of this act.

SECTION 3. That if said company shall not commence the construction of their road within two years after the passage of this act, and complete the same within seven years thereafter, this act shall be null and void, except so far as may be necessary to wind up the affairs and pay the debts of said company.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 482.

AN ACT

Relating to Elections in the County of Montgomery.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, the time for closing the elections in the several wards, boroughs and townships in the county of Montgomery, shall be seven o'clock in the evening.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 483.

AN ACT

To authorize the cleaning out of a part of the Channel of the Susquehanna river, in Dauphin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Killian Small and William H. Stair, of the borough of York, and such other persons as may join with them, their heirs and assigns, be and they are hereby authorized and empowered to widen, clean out, construct and deepen the channel of the Susquehanna river, from a point not exceeding three hundred yards above the upper end, or point of Fall island, in said river, down said river between said Fall island and Hill island, on the easterly side of the saw-mill dam of George Christ, to a point on the York county shore of said river, at or near the mouth of Fishing creek, in Newberry township, York county: *Provided,* That they shall in nowise impede or obstruct the navigation of the said river.

K. Small and others authorized to widen and deepen channel of Susquehanna.

SECTION 2. That hereafter no person shall be permitted in any way or manner to obstruct, or in anywise interfere with the privileges hereby granted, either by building fish dams in said

Obstructions prohibited.

river, or by any other means whatever; and any such obstruction or interference shall be deemed a private nuisance.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 484.

AN ACT

Relative to the Greenwich Land and Building Association.

Charter amended

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the fourth article of the constitution or charter of the Greenwich land and building association, as requires its stockholders to be white citizens of the city and county of Philadelphia, be annulled and repealed.

Signing constitution.

SECTION 2. That whenever any shares of stock are not chargeable with dues to the association, the purchaser thereof shall not be required to sign the constitution of the said association.

Notice of special meetings.

SECTION 3. That for a special meeting of the stockholders, it will only be necessary to publish a notice of the same once in one newspaper in the city of Philadelphia.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 485.

AN ACT

To extend the Charter of the Bank of Commerce.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the corporate duration of the Bank of Commerce be and the same is hereby extended and continued for and during the period of twenty years from and after the time limited for the expiration of the present charter of said bank, subject only to the provisions, restrictions, liabilities and conditions, and with all the rights, privileges and immunities mentioned and contained in the act of the general assembly of the commonwealth, entitled "An Act regulating banks," passed the sixteenth day of April, one thousand eight hundred and fifty, and also to all general laws now in force for the regulation of banking institutions, except so far as the same or other existing acts are herein altered or supplied.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 486.

AN ACT

Authorizing the opening Pleasant street, from Charles street to Ninth street, and Tioga street, in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the city commissioners of the city of Philadelphia be and they are hereby authorized and directed to open Pleasant street, in said city, from its present terminus to Ninth street in said city; that the court of quarter sessions of the city of Philadelphia shall, upon application being made to them, appoint a jury of view to assess the damages occasioned by said opening, which jury shall, immediately after their appointment, assess said damage and certify the same to the court of quarter sessions of

Opening of Pleasant street.

the city of Philadelphia, when the said damages shall be paid according to the manner now prescribed for opening streets in the city of Philadelphia.

Opening of Tioga street.

SECTION 2. That Tioga street, in the city of Philadelphia, from the Frankford road to Fourth street, as laid down on the confirmed plan of survey, shall be opened at the same time and in like manner as is prescribed for the opening of said street from Richmond street to the Frankford road, by the second section of an act, entitled "An Act to extend the width of Chatham street, and to open a part of Tioga street, in the city of Philadelphia," approved the twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five, and the damages shall be assessed as is provided in the said act.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 487.

A N A C T

Relating to the Pittston Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Pittston coal company, incorporated under the provisions of the general law for the encouragement of manufacturing operations in this commonwealth, shall have the right to take and appropriate such lands as may be required for the construction of roads and depots, or for such other purposes as may be necessary in the convenient prosecution of the business of the said company, not to exceed five acres, not occupied by any building or buildings; to pay for the same such damages as may be awarded by a jury, assembled in the manner provided in the general act, entitled "An Act regulating railroad companies," approved February nineteen, Anno Domini one thousand eight hundred and forty-nine.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 488.

AN ACT

To extend the Charter of the Tradesmen's Bank of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the corporate duration of the Tradesmen's Bank of Philadelphia be and the same is hereby extended and continued for the term of twenty years from and after the time limited for the continuance of the present charter of said bank, subject to the provisions and conditions, and with all the rights, privileges and immunities contained in the act of the general assembly of this commonwealth, and the several supplements thereto, entitled "An Act regulating banks," passed the sixteenth day of April, one thousand eight hundred and fifty: *Provided,* That the said bank continue its location south of Spruce street.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 489.

A FURTHER SUPPLEMENT

To an act, entitled "An Act to erect Danville into a borough."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the two wards of the borough of Danville, in the county of Montour, be and they are hereby constituted one common school district, by the name of the district of the borough of Danville. Common school district.

SECTION 2. That the burgess and town council of said borough shall have the power to appoint any number of persons, not exceeding twenty, citizens of said borough, as a day or night police for said borough, and to fix and pay them such reasonable Pay.

Powers

compensation as they shall deem fit; and the police so appointed, shall have and possess all the powers to make arrests, suppress breaches of the peace, and execute warrants that are now, or may at any time hereafter be had and possessed by constables of the several boroughs, wards and townships in this commonwealth.

Council may vacate streets, &c.

SECTION 3. That the town council of said borough shall have power to vacate the roads, streets, lanes, alleys, courts and common sewers within the said borough, in the same manner, and subject to the same right of appeal now provided by law for the surveying, laying out, enacting and ordaining roads, streets, lanes, alleys, courts and common sewers within said borough.

Persons may be committed to jail, when

SECTION 4. That in all cases where judgment is obtained against any person or persons for a penalty, for the breach of an ordinance enacted by the said borough, if the said person or persons neglect or refuse to pay the said judgment, he or they so neglecting or refusing, shall be committed to the jail of Montour county until said judgment and all legal costs and charges are paid.

Boundaries of North ward extended.

SECTION 5. That from and after the passage of this act, all that part of the township of Mahoning, in the county of Montour, contained within the courses and distances following, to wit: Beginning at the north corner of the borough of Danville, thence south fifty-nine and three-quarters degrees east ninety-five perches, to the forks of the road on Welsh hill; thence north seventy-three and three-quarters degrees east nine and three-tenths perches, to a corner of lot of the heirs of Bernard Lafferty, deceased; thence north twenty-nine and a-half degrees east twenty-one and a-half perches, to a corner of Yorks' addition to Danville; thence north fifty-nine and one-quarter degrees east fourteen and three-fourth perches, to a corner of the said borough; thence south twenty-nine and one-half degrees east four and two-tenths perches, to a corner of Yorks' addition; thence north eighty-six and one-quarter degrees east forty-two and seven-tenths perches, to a corner of Yorks' addition; thence north twenty-three degrees west seventy-five and one-half perches, to a chestnut; thence south eighty-three degrees west one hundred and fifty-five perches, to the place of beginning, be annexed to, and constitute and be a part of the said borough of Danville, and shall be and constitute a part of the north ward of the said borough.

SECTION 6. That so much of any and all laws as is supplied by this act, or is inconsistent therewith, be and the same are hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 490.

AN ACT

Exempting Coal and Lumber from the Tonnage Tax.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the several acts imposing a tax upon tonnage passing over the Pennsylvania railroad, and the Harrisburg, Lancaster and Mount Joy railroad, shall not hereafter apply to lumber or coal: Provided, That said companies shall make a permanent deduction from their rates of charges on said articles below their schedule rates, for goods now or hereafter to be embraced in the same class, equal to or greater than said tax: And provided further, That the legislature reserves the right to repeal this act at any time, and to re-enact the several acts hereby repealed.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 491.

A SUPPLEMENT

To the act, entitled “An Act authorizing the Governor to incorporate the Pittston Water Company.”

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* May borrow money.
in case the Pittston water company shall from want of means be unable to carry on the said works to completion, according to the intent and meaning of the act of incorporation, then it shall and may be lawful for the said company to borrow of the Pennsylvania coal company, or others, any sum or sums of money not exceeding in the whole twenty-five thousand dollars, for such time or times and rates of interest, or conditions, as may be agreed upon, and secure the same by judgment or mortgage on the land, works, property and franchises of the said com-

pany, which judgment or judgments, mortgage or mortgages, as the case may be, when duly executed and delivered, is hereby declared to be a good and valid lien thereon, to all intents and purposes; and in case of sale of said land, works, property and franchises, by virtue of said lien or liens, or otherwise, the purchaser or purchasers shall become vested with all the rights, privileges, franchises and powers granted to said company.

Borough of Pitts-
ton may purchase
water works.

Provide

SECTION 2. That in case of a sale of said works, property and franchises of said company, on account of said indebtedness, by virtue of said judgments or mortgages, it shall and may be lawful for the borough of Pittston, through the burgess and town council, to purchase the same, or at any time thereafter, by paying to the owner or owners of said property and franchises, the amount for which the same was so sold, together with the cost of completing or maintaining the said works, or both, with ten per centum interest thereon, deducting therefrom such dividends as the proceeds of such works have afforded to said owners, may become the owners of said property, franchises and powers vested therewith: *Provided*, That said town council and burgess shall have been previously empowered to make such purchase by a two-thirds majority of the owners of real estate in said borough; said majority to be ascertained by a public election, to be held after thirty days' notice being given in the newspapers in the borough.

Management of
works after such
purchase.

Provide.

SECTION 3. That in case of such purchase by the borough of Pittston, the affairs of said water company shall be conducted by a board of managers and officers, elected at an election to be held annually (after three weeks' notice having been given thereof in the public newspapers of the said borough,) by the real estate owners of said borough; said managers and officers to be governed by and in all respects subject to the provisions of said act of incorporation; said board of managers to consist of the same number, to be vested with the same power, and subject in every way to the same responsibility as that elected by the stockholders of said water company, in accordance with the provisions of the act to which this is a supplement: *Provided*, That no manager or officer thereof be elected except he reside within the county and be an owner of real estate in the borough.

Penalty for wast-
ing water, &c.

Provide.

SECTION 4. That if any person or persons, or body politic, who shall have contracted with the said company for the use of said water, shall wantonly and unnecessarily waste the same, to the injury of the said company, or shall permit any other person or persons not being by the said contract entitled to the use thereof, to make use of the same, or shall neglect or fail to pay to the said company, or their duly authorized agent, the amount by him, her or them agreed upon to be paid as a compensation for the said water, for the period of ten days after the same shall be due and payable according to the terms of said contract, it shall be lawful for the said president and managers to withhold and cut off such water from the premises of such individual or body politic and corporate, until all such damages, with interest and costs of recovering the same, shall be fully paid: *Provided*, That nothing herein contained be so construed as to affect, impair, or take away the right of the said company to sue for the recovery of the amount of such arrearages and damages.

Special contracts.

SECTION 5. That no manufacturing, mining, or railroad company shall have any claims or demands upon the said Pittston water company, for a supply of water, unless the same shall be

specially contracted for between the proper authorities or agents of such manufacturing, mining, or railroad companies and the president and managers of the Pittston water company, or their duly authorized agent.

SECTION 6. That as much of the act, entitled "An Act to authorize the governor to incorporate the Pittston water company," as conflicts with the foregoing sections, be and the same is hereby repealed. Repeal.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 492.

AN ACT

Relative to the property of Rebecca Dunwidde, deceased.

WHEREAS, Rebecca Dunwidde, late an illegitimate child of Catharine Holmes, of Westmoreland county, deceased, died intestate, whereby certain personal or real estate may have escheated to the commonwealth:

And whereas, The said mother, Catharine Holmes, is desirous of obtaining said estate so escheated; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all the right, title and claim which the commonwealth may have acquired or now has, by any escheat or supposed escheat, for the want of heirs, in and to any estate of which Rebecca Dunwidde, an illegitimate child, deceased, was, at the time of her death, possessed or to which she was entitled, be and the same is hereby granted to and vested in Catharine Dunwidde, of Westmoreland county, the surviving mother of said deceased, said real and personal estate not exceeding in amount the sum of three hundred dollars.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five:

JAS. POLLOCK.

No. 493.

AN ACT

To authorize the Governor to issue Letters Patent in certain cases.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in all cases where companies have been or shall hereafter be formed under the provisions of an act, entitled "An Act to encourage manufacturing operations in this commonwealth," approved the seventh day of April, Anno Domini one thousand eight hundred and forty-nine, or any of its supplements, or under the provisions of the act, entitled "An Act to enable joint tenants, tenants in common, and adjoining owners of mineral land in this commonwealth, to manage and develop the same," approved the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-four, it shall be lawful for the governor whenever the certificate of the organization of any such company shall have been duly executed, in conformity with the provisions of the said act or acts, and filed in the office of the secretary of the commonwealth as therein provided, to issue letters patent under the great seal of the commonwealth, declaring the subscribers to the stock of any such company, and also, those who may thereafter become subscribers or holders of the said stock, to be a body politic in deed and in law, in the same manner and form as is now provided by law in other cases.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 494.

AN ACT

To protect Burial Grounds.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

if any person shall open any tomb or grave in any cemetery, grave yard or any grounds set apart for burial purposes, either private or public, held by individuals for their own use, or in trust for others, or for any church or institution, whether incorporated or not, without the consent of the owners or trustees of such grounds, and clandestinely or unlawfully remove or attempt to remove any human body, or part thereof, therefrom, such person, upon conviction thereof, shall be sentenced to undergo an imprisonment in the county jail or penitentiary for a term of not less than one year, nor more than three years, and pay a fine of not less than one hundred dollars, at the discretion of the court of the proper county; and any person who shall wilfully destroy, mutilate, deface, injure or remove any tomb, monument, grave stone or other structure placed in any grounds aforesaid, or any fence, or railing, or other work for the protection or ornament of said grounds, or of any tomb, monument, grave stone or other structure placed therein, as aforesaid, or shall wilfully destroy, cut, break or remove any tree, shrub or plant within the limits of such grounds, or hunt any game within said limits, shall be deemed guilty of a misdemeanor, and shall upon conviction thereof, before any justice of the peace, be punished by a fine at the discretion of the justice, of not less than five, nor more than fifty dollars: *Provided*, That the provisions of this act shall not go into effect until after the first day of October next.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 495.

A N A C T

To prohibit the Sale of Unwholesome Meats.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the first day of June next, it shall not be lawful for any butcher or other person to expose for sale any tainted or unwholesome meat or fish, or any veal less than three weeks old when killed, in any of the market houses or other places for vending meat in any of the cities or boroughs in the several counties of this commonwealth, under a penalty of ten dollars

for each offence, to be recovered as other penalties are recoverable, before any alderman or justice of the peace, one-half of said penalty to go to the informer, and the other half for the benefit of the poor; all laws inconsistent with the above are hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 496.

A N A C T

To provide for the Regulation and Inspection of Buildings in the city of Philadelphia, and for the better preservation of life and property.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* within two months after the passage of this act, the judges of the court of common pleas of the city and county of Philadelphia shall be and they are hereby authorized and required to appoint two suitable persons of experience and skill, each of whom shall have served a regular apprenticeship at the house-carpentering or brick-laying business, and afterwards been engaged, for at least seven years, in working in or carrying on such business, to be inspectors of buildings in the city of Philadelphia, for the term of two years next succeeding their appointment, and until their successors shall be appointed and qualified; and in case of a vacancy by death, resignation, removal or otherwise, the said judges shall appoint another person or persons of like qualifications, who shall perform all the duties, have all the rights, and be subject to all the penalties and provisions of this act, for the remainder of the term so vacated.

Two inspectors of buildings to be appointed.

Term of office.

Vacancies.

Oath of inspectors.

To be filed.

SECTION 2. That every such inspector, before he enters upon the duties of his office, shall be required to take and subscribe, before some person authorized by law to administer the same, the following oath or affirmation: I do solemnly and sincerely swear or affirm, (as the case may be,) that I am duly qualified, as required by section first, to act as inspector of buildings, and that I will faithfully, impartially and truly execute and perform the duties of an inspector of buildings in the city of Philadelphia, and see that the buildings inspected by me are built as required by the laws of the commonwealth, according to the best

of my judgment and abilities, which said oath or affirmation shall be reduced to writing and filed in the office of the prothonotary of the court of common pleas of said city and county, and shall be entered on the record in said office; every such person shall, moreover, before entering on the duties of his office, execute a bond to the commonwealth in the sum of ten thousand dollars, with one or more sureties, to be approved by the said court, or by two of the judges thereof in vacation, conditioned for the faithful performance of the duties imposed upon him by law, which bond shall be for the use of any or all persons who may be aggrieved by the acts or neglect of such inspector. Bond.

SECTION 3. That the said inspectors shall keep an office as nearly central as may be, (notice of which shall be given by advertisement in three daily newspapers, not less than three times,) where shall be filed all applications for permits, and where notices may be left requiring the inspector of the proper district to visit and inspect any building which may be in progress of erection or construction; and if such inspector shall fail or neglect to attend within thirty-six hours after notice left for that purpose, he shall forfeit and pay to the owner or owners, contractor or contractors, the sum of twenty dollars for each and every day he shall so fail or neglect to attend, beyond the thirty-six hours aforesaid, which said penalty shall be recoverable in any action of debt before any alderman or justice of the peace of the said city. Inspector's office
Penalty for neglecting to inspect after notice.

SECTION 4. That the said inspectors, as soon as may be after their appointment, shall meet and divide the city into two districts, as nearly equal as may be, (excluding therefrom the rural portions of said city,) and to each of the said inspectors shall be allotted one of said districts, and he shall visit and inspect as provided for in the fifth section, all the houses or buildings in progress of erection, construction or alteration in his district; they shall have the power to appoint one or more deputies, to assist them in the performance of their duties, and the same to remove at pleasure, who shall possess the like qualifications, and take and subscribe the like oath or affirmation to perform the duties of deputy inspector as are prescribed in the first and second sections of this act, in relation to the inspectors, which shall in like manner be filed in said court, and entered on the records thereof; the said deputy or deputies shall be paid by the inspector for whom they shall officiate, and shall be accountable to him for the faithful discharge of his or their duties; and said inspector shall be responsible for his or their acts, in the same manner as if done by him personally. Inspection districts.
Deputy inspectors.

SECTION 5. That it shall be the duty of every inspector appointed under the provisions of this act, to visit and inspect each or any house or houses, building or buildings which may be in the course of erection, construction or alteration within the limits of his district, either by himself or by his deputy, and to see that such house or houses, building or buildings are being erected, constructed or altered according to the provisions of this act, and all acts and ordinances in force in said city, and in manner adapted for the security thereof against fires and the safety of the occupants; that the materials used are suitable for the purpose, and that the work is done in a substantial and workman-like manner, and is of sufficient strength and solidity to answer the purpose for which it is designed; and before the foundations are laid he shall examine the trenches dug for the Duties of inspectors.

Provided.

same, and be fully satisfied that the soil or substratum is sufficient for the structure, or at least the best that can be obtained, and should the nature of the soil be such, and the work of sufficient magnitude as to require piling, flagging or logging, the same shall be done: *Provided*, That it may be deemed necessary by the board of inspectors; that his visits and inspection shall be repeated from time to time during the erection, construction or alteration of such house or houses, building or buildings, until all the walls shall have been completed and the same enclosed, when his duties shall terminate; he shall, on application for that purpose, furnish the owner or owners, contractor or contractors, his certificate that the said house or building is in all respects conformable to law and properly constructed, for which certificate he shall receive a fee of fifteen cents.

Permits, how obtained.

Fees of inspector.

SECTION 6. That when any person or persons shall be desirous of erecting, constructing or altering any house or building, he or they shall make application at the office of the inspectors of buildings for a permit for that purpose, and he or they shall be required to furnish a written statement of the proposed location, the dimensions and manner of construction of the proposed building or edifice, together with the different stories and the cornice and the materials to be used in such house or building, and in addition to any fee or fees he or they are now or may be hereafter required to pay, he or they shall pay for such permit the sum of three dollars, for the inspection of each or any building not exceeding thirty feet in height and eighteen feet in width, nor covering more than sixteen hundred square feet of ground; the sum of five dollars for the inspection of each or any building over eighteen feet in width, not exceeding thirty feet in height, nor covering more than two thousand square feet of ground; and the further sum of one dollar in addition for each story above thirty feet in height; and the like sum for each additional one thousand square feet of ground covered by such house or building, which said sum or sums, and all other fees received by them, shall be paid by the inspectors into the city treasury monthly; and the said inspectors shall be paid an annual salary of three thousand dollars each.

Building regulated.

Penalty for awarding false certificate.

SECTION 7. That from and after the first day of June, Anno Domini one thousand eight hundred and fifty-five, it shall not be lawful for any person or persons to erect, construct or build, or cause to be erected, constructed or built, any brick, iron, granite, marble or stone house or building, or any house or building composed partly of brick, iron, granite, marble or stone, or to alter any such building, so as to make it substantially a new building, unless the same shall have been inspected, from time to time, by one of the inspectors of buildings, or one or more of their deputies, and a certificate furnished by him, that the said house or building is properly constructed, and in all respects safe and secure; and should any inspector award such certificate to any person or persons for any house or building not constructed according to the provisions of this act, the bond given by such inspector shall be declared to be forfeited, and the whole principal sum therein named shall become due and payable, and such inspector shall be forthwith dismissed from office by the said court, and the vacancy thus created filled under the provisions of this act, and the said principal sum shall be collected by due process of law, and the same held to the use of

any person or persons, either in an individual or corporate capacity, who may be injured or sustain any damage thereby.

SECTION 8. That the thickness of the walls of all buildings hereafter erected, constructed, built or altered in the city of Philadelphia, (excluding therefrom the rural portions of said city,) shall be as follows, to wit: In all buildings hereafter to be erected, constructed, built or altered, with a front of not more than sixteen feet, and not more than thirty-five feet high, the cellar or foundation walls shall be not less than sixteen inches in thickness, the party walls not less than nine inches and the front walls not less than nine inches; in all buildings with a front of not less than sixteen and not more than twenty feet, and not more than forty-five feet high, the foundation or cellar walls shall not be less than eighteen inches in thickness, the party walls not less than thirteen inches and the front walls not less than thirteen inches in thickness; in all buildings with a front of not less than twenty nor more than twenty-eight feet, and not more than fifty-five feet high, the foundation or cellar walls shall not be less than twenty inches in thickness, the party walls not less than thirteen inches, and the front walls not less than eighteen inches the height of the first story and thirteen inches the remainder of the height; in all buildings with a front of more than twenty eight feet, and not more than sixty-five feet high, the foundation or cellar walls shall not be less than twenty-four inches in thickness, the party walls not less than eighteen to the height of the first story and thirteen inches the remainder of the height, and the front walls twenty-eight inches in the cellar, twenty-two inches to the height of the first story and seventeen inches the remainder of the height; and whenever any builder, owner or contractor may construct or erect any building to a greater height than those above specified, the increased thickness of the walls shall be determined by the board of inspectors: *Provided*, That any lot of the width of sixteen feet or less shall not be encumbered with more than nine inches of the stone wall, or more than four and a half inches of the brick wall; nor in any case shall any party wall be placed on the adjoining lot more than ten inches for the stone wall, or more than six and a half inches for the brick wall: *And provided further*, That in any case where the proposed building is to be used for a storehouse, the party or division walls shall not be less than thirteen inches the full height thereof.

Thickness of walls prescribed.

Provided.

Provided.

SECTION 9. That it shall not be lawful for any person or persons to erect, construct, or build any rear wall, or any party or division wall between two or more houses or buildings, upon any wooden girder or rafter, or to support any such rear, party or division wall by any wooden support whatever; it shall be the duty of any or all persons erecting, constructing or altering any house or building, to build the party or division wall to at least the height of ten inches above the line of the roof of such house or building; such party or division wall to be covered by stone or metal, so as effectually to prevent the connection of the roofing or wooden cornice of any two or more houses or buildings; and the said builder or builders shall be entitled to compensation for such portion of said wall, as is now provided for; nor shall it be lawful for any person or persons to build any wooden joist, rafter, beam or girder in any chimney or flue whatever, in any such house or building.

Erection of rear party and division walls regulated.

Building of wood into chimneys prohibited

Penalty for not obtaining permit.

SECTION 10. That if any person or persons, whether owner or owners, contractor or contractors, shall erect, construct, build or alter, so as to make it substantially a new building, any house or building within said city as hereinbefore designated, without first obtaining a permit from the office of the inspectors of buildings, shall forfeit and pay the sum of one hundred dollars for each and every offence; and if any person or persons as aforesaid, shall proceed to complete any such building, without having the same inspected as required, or shall fail or neglect to have the walls thereof built or constructed of the thickness required by, or otherwise comply with the provisions of this act, he or they so offending, shall forfeit and pay the sum of one hundred dollars for each and every offence, and the further sum of one hundred dollars for each and every calendar month that the said house or building shall be suffered to remain without the necessary inspection, and the procuring the proper certificate; which said several sums shall be recoverable as debts are now by law recoverable; and if upon any inspection, it shall appear to the inspector, or his deputy, that such house or building is being erected or constructed in violation of any of the provisions of this act, the inspector shall forthwith notify the owner or owners, contractor or contractors, of such violation; a notice thereof being given to any person employed upon such house or building, shall, in all cases, be taken and deemed sufficient; and if after such notice, the said parties, or either or any of them, shall proceed in the said erection or construction of such house or building, on petition, an affidavit of the facts having first been filed by the inspector, setting forth the said violation particularly, it shall and may be lawful for the court of common pleas, or one of the judges thereof in vacation, to forthwith issue an injunction, restraining such person or persons from the further progress of said work, until the facts of the case shall have been investigated and determined; and if it shall appear to the said court, upon such investigation, that such house or building is not, in all respects, conformable to the provisions of this act, in addition to the penalty hereinbefore designated, said court shall issue an injunction to restrain the continuance, and to remove so much of the said house or building as may be decreed by the court, within such time as the court may appoint.

Penalty for not having walls of the proper thickness.

Duty of inspector in certain cases.

Injunction may be issued.

Power of inspectors in certain cases

SECTION 11. That the said inspectors shall have the power to direct and require provision to be made, in relation to counter-arching over openings in the walls of buildings, to be used for public or for manufacturing purposes, to direct what means of access shall be provided, and the method of swinging of the doors in such buildings, the construction and method of fastening wooden cornices, and such other regulations as they may deem necessary, not inconsistent with the provisions of this act.

Errecting of steam engines regulated

SECTION 12. That no steam engine shall be erected in said city without the inspection and approval of an inspector as aforesaid, for the security and safety of the inhabitants, under the penalties hereinbefore prescribed, in respect to buildings constructed contrary to this act, and if built in connection with any wooden or brick paved building or in other dangerous manner, contrary to the permit or direction of such inspector, the same shall be altered or removed according to the decree of the said court.

SECTION 13. That in all cases where any building or engine shall be constructed, altered or continued contrary to any law or ordinance in force in the city of Philadelphia, and the owner shall be resident without the state or beyond the reach of the process of said court, it may be served upon the agent or tenant of the owner, and advertised as provided by law, in respect to absent owners in proceedings in partition; and thereupon, all further proceedings may be had as required by law, for the alteration or removal of such building or engine.

Service of process and notices regulated in certain cases.

SECTION 14. That if the owner shall not comply with the decree of the court within the time limited by the court therefor, the court shall decree the same to be done by the sheriff of the county, under the supervision of one of the inspectors, and to collect the expenses thereof of the owner, with ten per cent. thereon, to be paid into the city treasury, besides costs of suit as in equity cases.

Duty of sheriff to enforce compliance with decree of courts.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 497.

AN ACT

Repealing an act approved March first, one thousand eight hundred and fifty-four, vacating a certain part of a street and alley in the borough of Wrightsville, county of York.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act approved March first, one thousand eight hundred and fifty-four, be and the same is hereby repealed.

Repeal.

SECTION 2. That the supervisor of the borough of Wrightsville is hereby authorized to open that portion of Seventh street lying between Locust and Hellam streets, if deemed necessary, together with so much of the public alley that leads from Sixth street to the borough line in the said borough of Wrightsville.

Certain street and alley to be opened.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 498.

A N A C T

To repeal a part of the proviso to the fourteenth section of the supplement to an act, entitled "An Act to revise the Militia System and provide for the training of such only as shall be uniformed," approved the thirtieth day of April, Anno Domini one thousand eight hundred and fifty-three.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* so much of the proviso to the fourteenth section of the act, as relates to the compensation of brigade inspector, be and the same is hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 499.

A N A C T

Authorizing the School Directors of New Castle, Lawrence county, to borrow money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the school directors of the borough of New Castle, Lawrence county, are hereby authorized to borrow any sum of money not exceeding six thousand dollars, and issue bonds for the same, in sums not less than one hundred dollars each, bearing a rate of interest not exceeding seven per centum per annum.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 500.

A FURTHER SUPPLEMENT

To an act, entitled "An Act to erect the village of Honesdale, in the county of Wayne, into a borough."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the town council of said borough be and are hereby authorized and empowered, in addition to the tax now authorized to be assessed and collected in said borough, by the act to which this is a supplement, to assess and collect an additional tax, not to exceed ten mills on the dollar, annually, for the next five years, same to be re-paid in money, and to be assessed and collected in same manner as is now provided by law for the assessment and collecting of taxes in said borough; and the fifth section of an act, entitled "An Act to preserve the waters of the Dyberry and Lackawaxen creeks," et cetera, approved April twenty-first, one thousand eight hundred and thirty-two, authorizing additional tax in the borough of Honesdale, be and the same is hereby repealed. Additional tax authorized.

SECTION 2. That the town council of said borough shall and they are hereby directed to apply two-thirds of the amount of taxes so assessed and collected by virtue of the first section of this act, to the payment of the indebtedness, payable in money existing against said borough at the date of the passage of this act, and to and for no other purpose or use, till said indebtedness is fully paid. Tax how, to be expended.

SECTION 3. That hereafter the town council of said borough be and is hereby prohibited and restricted from contracting and leaving unpaid any indebtedness against said borough, in any one year, that shall exceed the sum of one hundred dollars, except in cases of moneys expended or indebtedness contracted, or rewards offered by said town council to detect incendiaries, which said town council shall have full power to do, and said rewards shall be paid out of and from the borough treasury, being first duly approved by the town council. Contracting debts prohibited.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 501.

A SUPPLEMENT

To an act passed the twenty first day of April, Anno Domini one thousand eight hundred and forty-nine, relative to the Hours of Labor in Manufacturing Establishments.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, no male or female operative under the age of twenty-one years shall, under any contract, be employed in cotton, woollen, silk, flax, bagging or paper manufactories in this commonwealth, for a longer period than sixty hours in any one week, or more than an average of ten hours a day during the same period.

Operatives under 21 years not to be employed more than 60 hours per week, nor 10 hours per day.

Penalty for violating preceding section.

SECTION 2. That if any person shall knowingly employ, or any parent or guardian consent to the employment of any male or female operative, under the age of twenty-one years as aforesaid, contrary to the preceding section, and proof be made thereof before any alderman or justice of the peace of the ward, borough or district where such offence is committed, he, she or they so employing such operatives, or consenting thereto as aforesaid, shall, for every such offence, forfeit and pay the penalty of not less than ten, nor more than fifty dollars, to be recovered before any alderman or justice of the peace of the proper ward, borough or district, in the same manner as the like penalties are now recovered, to be applied to the use of the public schools of the proper district: *Provided*, That no penalty shall be recovered under this act, unless sued for within one month after the same shall have occurred; nor shall any person recover more than one penalty for the working of any factory for the same period of time.

Provided.

Duty of constables

SECTION 3. That all the ward, borough and township constables are hereby authorized and required, and it is hereby made their duty to attend to the strict observance of the two preceding sections of this act, when complaint shall have been properly made to them of a violation of the same.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 502.

AN ACT

For the extension of Prince Street and opening of College Avenue, in the city of Lancaster, and relative to a certain street in the borough of Pottsville.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the court of quarter sessions of Lancaster county are hereby authorized and required to appoint commissioners to lay out, open and extend North Prince street from the point where it now terminates, in the city of Lancaster, to intersect with the Lancaster, Petersburg and Manheim plank road, in Manheim township. Commissioners to be appointed.

SECTION 2. That the said commissioners, or a majority of them, having first taken an oath before an alderman of the city of Lancaster, to perform the duties enjoined upon them by this act with fidelity and impartiality, shall proceed, as soon after the passage of this act as convenient, to attend to the duties specified in the preceding section of this act, and if in the opinion of a majority of them said North Prince street ought to be laid out, opened and extended in the manner designated in the preceding section, they shall lay out the same of the width of Prince street as now opened, and shall make a draft or plot of said street so laid out, to be opened and extended by its courses and distances, and make return of the same under the hands and seals of a majority of them, to the court of quarter sessions of the peace of Lancaster county, to be entered on record, and thereupon the said street, so laid out, shall become a public highway; and it shall be the duty of the street commissioner of the city of Lancaster to proceed forthwith to open the same. Oath.
Their duties.
Make draft.

SECTION 3. That Thomas C. Porter, Robert M'Clure, Christopher Hager, Jacob M. Long and Jos. Konigmacher are hereby appointed commissioners to lay out and open a new street within the limits of the city of Lancaster, to be called "College avenue," from a point on the Lancaster, Elizabethtown and Middletown turnpike road, at a point on a line between Franklin and Marshall college and lands of the Hamilton estate, to intersect a street commonly known by the name of "Bachman's lane," on said line of land owned by said college, and lands of Jacob Greril. Report.
Commissioners to open College avenue.

SECTION 4. That the said commissioners, or a majority of them, having first taken an oath before an alderman of the city of Lancaster, to perform the duties enjoined upon them by this act with fidelity and impartiality, shall proceed, as soon after the passage of this act as convenient, to attend to the duties specified in the preceding section of this act, and if in the opinion of a majority of them said College avenue ought to be laid out and opened as designated in the preceding section, they shall lay out the same of the width of not less than sixty feet nor more than one hundred feet, and shall make a draft or plot of said avenue so laid out, to be opened by its courses and dis- Oath.
Duties.
Draft.

Report. tances, and make return of the same under the hands and seals of a majority of them, to the court of quarter sessions of the peace of Lancaster county, to be entered on record, and thereupon the said street, so laid out, shall become a public highway; and it shall be the duty of the street commissioner of the city of Lancaster to proceed forthwith to open the same.

Duty of street commissioner.

Appraisers of damages, how appointed.

SECTION 5. That the court of quarter sessions of Lancaster county, on the petition of any owner of land through which the said street shall be extended and opened, representing that he or she has sustained damage thereby, shall proceed and appoint viewers to view and appraise the damages under existing laws.

Town council of Pottsville to open a certain alley or street.

SECTION 6. That the town council of the corporation of the borough of Pottsville, in the county of Schuylkill, shall have the power and authority, and it is hereby enjoined and required to lay out, enlarge and open a certain court or alley in the said borough, now partly laid out and opened through the square or block of ground bounded on the north by Norwegian street, on the south by Mahantango street, on the west by Fifth street, and on the east by Fourth street, so that the said court or alley shall be laid out and opened of the width of twenty feet through said block or square of ground, and parallel with Mahantango street from said Fourth street to Fifth street, in the borough aforesaid: *Provided*, That any damages which may be sustained by the owner or owners of any of the lots of ground through which the said court or alley, mentioned in this section, shall pass, shall be assessed and adjusted agreeable to the provisions of the second section of the act of the general assembly of Pennsylvania, passed the fourteenth day of March, Anno Domini one thousand eight hundred and fifty, entitled "An Act to authorize the town council of the borough of Pottsville to open and enlarge Logan's court, and to open and enlarge an alley between Second and Centre streets, in the borough of Pottsville, Schuylkill county; in relation to streets in Freeport and Easton, and in relation to a private railroad in Phoenixville, and to vacate a certain road in the borough of Northumberland."

Proviso.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 503.

AN ACT

To annul the marriage contract between John G. Rich and Mary his wife.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the marriage contract entered into between John G. Rich and Mary Rich, his wife, is hereby made null and void, and all the relations of husband and wife shall henceforth cease and determine, and the parties be severally at liberty to marry again, as if they had never been married.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 504.

AN ACT

Relative to the proof of title of John Keating and Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for John Keating, Adolphe E. Borie and William V. Keating, their agent or attorney, to enter a rule in the court of common pleas of any county of this commonwealth, in which they hold title to lands, for the purpose of taking testimony, to prove the death of any trustee or trustees, co-partner or co-partners or others interested in such title, which rule shall state the time and place, and the name of the commissioner before whom the testimony is to be taken, and be published for three successive weeks in one newspaper published in the county in which the same shall be entered. The testimony taken under and in pursuance thereof, shall be submitted to the court of common pleas of the proper county at its next term after the same shall be taken, and if satisfied of the regularity of the proceedings and the sufficiency of proof, the court shall endorse their

approval thereon; whereupon the same shall be entered of record by the recorder of deeds, and the record so made and exemplified copies thereof, shall be received in all suits or actions tried in said county, where the same may be relevant, as *prima facie* evidence of the facts therein contained.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 505.

AN ACT

To provide for the destruction of Canada Thistles and other Noxious Weeds, and the maintaining of Ditches on the banks of railroads in the county of Erie.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the several railroad corporations owning or working railroads within the county of Erie, wherever water accumulates along the same, to the injury of the adjoining land, to excavate and maintain on both sides thereof, ditches of sufficient width and depth, and of suitable grade, to drain off the water in such manner as to protect the adjoining land from wash or soakage; and it shall further be the duty of the several railroad companies aforesaid, to cause all Canada thistles and other noxious weeds growing on any lands owned or occupied by such corporation, to be cut down twice in each and every year, once between the fifteenth day of June and first day of July, and once between the fifteenth day of August and the first day of September.

SECTION 2. That if the said corporations, or any or either of them, shall neglect to make and maintain good and sufficient drains or ditches to carry off the water, so as to prevent wash or soakage on the adjoining land, or shall neglect to cause to be cut down all Canada thistles and other noxious weeds at the times mentioned in this act, it shall be lawful for any person to cut the same between the first and fifteenth days of July, and between the first and fifteenth days of September, and to make, open and repair said drains and ditches, at the expense of the corporation on whose lands said drains and ditches are to be made, and on which said Canada thistles or other noxious weeds shall be so cut, at the rate of one dollar per day for the time so occupied in doing the same, to be recovered as debts of like

Ditches to be made along railroads

Canada thistles to be destroyed.

Penalty for neglecting to comply with the provisions of this act.

amount are recoverable, in any court of justice within the county of Erie.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 506.

A SUPPLEMENT

To an act to authorize the Courts to alter Charters in certain cases, passed May the eighth, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That where letters patent or charters of incorporation have been granted by the true and absolute proprietaries and governors in chief of the province of Pennsylvania, and counties of New Castle, Kent and Sussex, on Delaware, or where charters have been granted by the general assembly of this commonwealth, previous to the adoption of the constitution of one thousand seven hundred and ninety, for a purpose where authority to grant charters is or may be vested in the court, it shall be lawful for such court to alter, amend and improve the same, upon like proceeding and with like effect as if the original charter had been granted by the court.

Courts may alter charters in certain cases.

SECTION 2. That any corporation established by virtue of an act to confer on certain associations of citizens of this commonwealth the powers and immunities of corporations or bodies politic in law, passed the sixth day of April, Anno Domini one thousand seven hundred and ninety-one, and the several supplements thereto, shall have the power to take, by purchase or otherwise, and hold all manner of lands, tenements and hereditaments in the same manner, and subject to the same limitations, as to quantity and value, as provided by law: *Provided*, Said alterations or amendments shall be duly accepted by the said corporation, in pursuance of the corporate action, by vote of a majority of the corporators thereof.

Corporations may hold lands, &c.

Proviso.

SECTION 3. That the supplemental act, extending the provisions of the original act to beneficiary societies and associations, passed eighth April, Anno Domini one thousand eight hundred

Courts may charter Odd Fellows, Free Masons and hall associations.

LAWS OF PENNSYLVANIA,

and thirty-three, be so construed as to embrace Odd Fellows', Free Masons' and town and city hall associations.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 507.

A FURTHER SUPPLEMENT

To an act, entitled "An Act in relation to Elections and certain Election Districts," approved the eleventh day of March, one thousand eight hundred and fifty two.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the provisions of the seventeenth section of the act, entitled "An Act in relation to elections and certain election districts," approved the eleventh day of March, one thousand eight hundred and fifty-two, be and they are hereby extended to the counties of Dauphin and Northumberland.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 508.

SUPPLEMENT

To an act incorporating the Dime Savings Institution of Philadelphia, approved twenty seventh day of March, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the Dime savings institution of Philadelphia be and it is hereby authorized to receive domestic and foreign bills of exchange, notes, checks and drafts, in deposit, and collect the same through its officers, agents, attorneys or otherwise, and receive such remuneration therefor as may be just and equitable, or as agreed upon by the parties interested; and that in addition to the securities or stocks of this state or of the United States, or in stocks or bonds of any city authorized to be issued by enactment of the legislature of this state, or on improved real estate, as indicated in the charter, the trustees may invest, under authority of a majority of such board of trustees, the funds belonging or intrusted to said company, in the capital stock or in the bonds of the Pennsylvania railroad company.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 509.

AN ACT

To protect Keepers of Hotels, Inns and Boarding Houses.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That whenever the proprietor or proprietors of any hotel, inn or boarding house, shall provide a good, sufficient and secure safe in the office of such hotel or other convenient place for the safe keeping of any money, goods, jewelry and valuables belonging to the guests and boarders of such hotel, inn or boarding house, and shall notify the guests and boarders thereof, by placing in every lodging room, parlor and public hall and other conspicuous places, printed cards or notices, stating the fact that such safe is provided, in which such goods, jewelry and valuables may be deposited, and that the proprietor or proprietors thereof will not be responsible for said money, goods, jewelry and valuables unless deposited in said safe; and if any such guest or boarder shall neglect to deposit such money, goods, jewelry or valuables in such safe, the proprietor or proprietors aforesaid shall not be liable for any loss of such money, goods, jewelry or valuables, sustained by such guest by theft or otherwise: *Provided,* That nothing herein contained shall apply to such an amount of money, and such articles of goods, jewelry and valuables, as is usual, common and prudent for any such guest or boarder to retain in his room, or about his person.

Liability of hotel keepers, &c., for property of guests regulated

Proviso.

SECTION 2. That whenever the proprietor or proprietors of any hotel, inn or boarding house shall post in a conspicuous

Duty of boarders to lock rooms

manner as aforesaid, notices requiring said guest or boarder to bolt the door of the room or rooms occupied by said guest or boarder, or in leaving the said room or rooms, to lock the door and to deposit the key or keys with the proprietor or the clerk at the office; and if such guest or boarder shall neglect so to do, the proprietor or proprietors as aforesaid shall not be liable for any baggage of such guest or boarder, which may be stolen from said room or rooms: *Provided*, That said proprietor or proprietors shall clearly establish the fact of said room or rooms having been left unbolted or unlocked by said guest or boarder, at the time of the loss of said baggage as aforesaid.

Proviso.

Penalty for fraudulently obtaining boarding, &c., and refusing to pay.

SECTION 3. That if any person or persons, with the intent to cheat and defraud designedly, by any false or fraudulent representations, or by any false show of baggage, goods or chattels which are calculated to deceive any hotel, inn or boarding house keeper, shall obtain lodgings and credit in any hotel, inn or boarding house within this commonwealth, and subsequently thereto refuse to pay for their said board and lodging, such person or persons so offending, shall upon conviction of such offence, in any court of quarter sessions of this commonwealth, be punishable by imprisonment in the county jail of said county, for any period not more than three months, at the discretion of said court, and be liable to a fine not exceeding one hundred dollars.

When and how the baggage of boarders may be sold.

SECTION 4. That all proprietor or proprietors of hotels, inns and boarding houses within this commonwealth, shall have a lien upon the goods and baggage belonging to any sojourner, boarder or boarders, for any amount of indebtedness contracted for boarding and lodging, for any period of time not exceeding two weeks, and shall have the right to detain said goods and baggage until the amount of said indebtedness is paid; and at the expiration of three months the said proprietor or proprietors may make application to any alderman or justice of the peace of the proper city, borough or county, who is hereby authorized to issue his warrant to any constable within said city, borough or county, and cause him to expose the said goods and baggage to public sale, after giving at least ten days' notice by public written or printed notices, put up in three or more public places in the ward of said city or borough, or in the township where said inn, hotel or boarding house is located; and after he shall have sold the same he shall make return thereof to the said justice or alderman, who shall, after payment of all costs and the said amount of indebtedness, pay over the balance, if any there be, to the owner or owners of said goods and baggage: *Provided*, That the owner or owners of said goods and baggage shall have the right to redeem said goods and baggage at any time within the said three months, upon paying the amount of said indebtedness, and at any time previous to the sale as aforesaid, upon paying also the additional cost established by law for like services.

Proviso.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 510.

AN ACT

Extending the laws authorizing the incorporation of Savings Fund, Land, Building and Loan Associations to Lehigh, Northampton and Dauphin counties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the fourth, fifth, sixth, seventh and eighth sections of an act passed the twenty-second day of April, one thousand eight hundred and fifty, entitled "A supplement to an act, entitled 'An Act to prevent waste in certain cases within this commonwealth,' passed the twenty-ninth day of March, one thousand eight hundred and twenty-two, to land and building associations," et cetera, and the supplement thereto, passed the twelfth day of April, one thousand eight hundred and fifty-one, the several provisions of an act, entitled "An Act relating to land and building associations," approved the seventh day of March, one thousand eight hundred and fifty-three, and the supplement thereto, extending the provisions of the fifth section thereof, passed the eighteenth day of April, one thousand eight hundred and fifty-three, be and the same are hereby extended to Lehigh, Northampton and Dauphin counties.

Acts relative to incorporation of saving fund, land, building and other associations extended to certain counties.

SECTION 2. That any such association now existing in said counties, and intended to be incorporated under the laws hereby extended to the same, shall have full power and authority, during the time required for the obtaining of a charter of incorporation from the proper court, to act in pursuance of its articles of association, (the same not being inconsistent with existing laws,) and to do all things contemplated and provided for therein, in the name adopted by such association, and under which it is intended to be incorporated, as fully, in all respects, as if such association were a corporation or body politic in law.

Certain associations may act under their present articles of association until chartered.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 511.

A N A C T

Relative to certain In-lots in the city of Erie, formerly used as a burying ground

WHEREAS, The First Presbyterian congregation in the borough of Erie, in the county of Erie, is now the owner of four certain town lots in the city of Erie, which were purchased by said congregation some twenty-five years since for a burying ground, and was so appropriated :

And whereas, By the increase of population and the growth of the city of Erie, said lots are now in a central part of said city :

And whereas, The Erie cemetery has wholly superseded the necessity of a burial ground in the limits of the city, and the remains of the dead are generally removed, and being removed from the said four lots to the cemetery, and the said lots are no longer required for the purpose they were purchased, and are well located for a site for a city school, and the directors thereof are desirous to purchase said lots, or a part of them ; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the trustees of the First Presbyterian congregation in the borough of Erie, in the county of Erie, and they are hereby authorized and empowered to bargain and sell four certain in-lots in the city of Erie, designated in the general plan of the in-lots in the first section of the town of Erie, by numbers fourteen hundred and thirty-four, fourteen hundred and thirty-five, fourteen hundred and thirty-eight and fourteen hundred and thirty-nine, and situate on the south side of Seventh street, between Sassafras and Myrtle streets, to such person or persons, corporation or corporations as may agree for the purchase of said lots, or any portion of them, and upon such sale or sales to convey the said lots in all or in such portions and parts, when and as often as the said trustees may make sale to the purchaser or purchasers, by deed or deeds, executed under the seal of said congregation and signed by the president of the board of said trustees, and countersigned by the secretary, which deed or deeds shall invest in the purchaser or purchasers all the right and title in and to said lots of the said First Presbyterian congregation in the borough of Erie, in the county of Erie: *Provided,* That before the sale of the said lots, or either or any part of the same, the dead interred therein shall be removed therefrom, and re-interred at the expense of said congregation in such grave yard or cemetery as the nearest surviving relatives may designate, in or near the city of Erie, if they can be found, but if not found or they decline to designate any such place, then in the said Erie cemetery ; and any

tomb stones belonging to such remains shall be re-set over the same.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 512.

AN ACT

Permitting Joseph Longring to peddle within the county of Lebanon.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Joseph Longring, of Lebanon county, a cripple, be and he is hereby permitted and allowed to peddle all kinds of goods, wares and merchandize within the county of Lebanon, with one horse and wagon.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 513.

AN ACT

Changing the time for the meeting of the Township Auditors in Bradford county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

LAWS OF PENNSYLVANIA,

hereafter the regular yearly meeting of the township auditors in Bradford county, shall be on the fourth Monday of February.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 514.

AN ACT

For the relief of Jacob Deffenderfer, a soldier of the Revolutionary war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer be and he is hereby authorized and directed to pay to Jacob Deffenderfer, of New Holland, Lancaster county, a soldier of the Revolutionary war, a gratuity of forty dollars, and an annuity of forty dollars, during the term of his natural life, commencing on the first day of January, Anno Domini one thousand eight hundred and fifty-five, and payable half yearly thereafter, on the first day of January and July.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 515.

AN ACT

For the relief of Anna Margaret Lightner, widow of an old soldier of the Revolutionary war.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the state treasurer be and he is hereby authorized and directed to pay to Anna Margaret Lightner, of the city of Lancaster, widow of John Lightner, deceased, a soldier of the Revolutionary war, a gratuity of forty dollars, and an annuity of forty dollars, during the term of her natural life, commencing on the first day of January, Anno Domini one thousand eight hundred and fifty-five, and payable half yearly thereafter, on the first days of January and July.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 516.

A N A C T

For the relief of John W. Wright, late Treasurer of Clearfield county.

WHEREAS, John W. Wright, late treasurer of the county of Clearfield, received, in Lewistown Bank paper, one hundred and fifty-five dollars for state tax, previous to the failure of said bank, the money is now deposited with the state treasurer, with affidavit filed; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the state treasurer is hereby authorized and required to allow the said John W. Wright a credit of the sum of one hundred and fifty five dollars, on account as aforesaid: Provided, That the state treasurer aforesaid shall first be satisfied of the truth of the allegations above set forth.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 517.

A SUPPLEMENT

To an act, entitled "An Act relative to the Lancaster County Prison."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* whenever a vacancy shall occur in the board of inspectors of the Lancaster county prison, the commissioners of said county shall appoint a suitable person to fill the same, who shall hold said office for the unexpired term of the person originally elected thereto.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 518.

A N A C T

Relative to Huckstering in the county of York.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act it shall not be lawful for any person to buy, or exchange or barter any kind of goods or groceries whatever, for marketable produce, with the intention of selling the same, without first obtaining a license from the proper authorities of the said county, under a penalty of fifty dollars, which penalty shall be collected as debts of like amount are now by law collected, one half thereof to go to the informer and the other half to the treasury of the county in which the offence is committed: *Provided, That* nothing in this section shall prevent the informer from being a competent witness.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 519.

A SUPPLEMENT

To the act to incorporate the borough of Brownsville, in the county of Fayette.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act it shall be lawful for the qualified electors of the borough of Brownsville to elect nine councilmen for said borough, three to serve for one year, three for two years and three for three years, and at each annual election thereafter to elect three councilmen to serve for three years. Election of councilmen and their terms of office.

SECTION 2. That it shall be the duty of the town clerk of said borough to give notice of the annual election for borough officers, and of special elections to fill vacancies, and superintend and conduct the same, agreeable to the provisions of the charter of said borough, and that so much of the twelfth section of an act, entitled "An Act to incorporate the town of Brownsville, in the county of Fayette," approved the ninth day of January, one thousand eight hundred and fifteen, be and the same is hereby repealed. Notice of elections

SECTION 3. That if the high constable or policeman of said borough shall take up any drunken or disorderly person after nine o'clock at night, it shall be lawful for said high constable or policeman, to detain such drunken or disorderly person or persons in the lock-up house of said borough till morning, when they shall be taken before a magistrate. Drunken and disorderly persons to be put into lock up house.

SECTION 4. That any act interfering with the enforcement of this act is hereby repealed, so far as the same relates to the borough of Brownsville, in Fayette county. Repeal.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 520.

A N A C T

Requiring the Supervisors of Highways in certain counties to give security.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passage of this act, all supervisors of highways in the counties of Bucks, Carbon, Chester, Lycoming and Washington, shall give bond with sufficient security, in the name of the commonwealth, for the use of the proper township, for the faithful performance of their duty, in the sum of double the amount of taxes to be collected by them, to be approved by the auditors of their respective townships, and be filed with one of the justices of the peace in their township.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 521.

A FURTHER SUPPLEMENT

To an act authorizing the borough of Bolivar, in Westmoreland county, to dig a well, et cetera, passed April fifteen, one thousand eight hundred and fifty.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of a state road authorized to be laid out by the act to which this is a supplement, extending from Elizabethtown, in Allegheny county, by way of Alexander Guffey's salt works, to intersect the Greensburg and Pittsburg turnpike road at Greensburg, Westmoreland county, as lies in the county of Allegheny, be and the same is hereby vacated; and so much of any act or

acts of assembly authorizing the laying out or opening the same, is hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 522.

AN ACT

To incorporate the Mount Airy and Lime Kiln Turnpike and Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Gowen, Edward W. David, George W. Wolf, Jervis G. Pickering, Miles Daly, Charles C. Bolton, Thomas C. Reah or any five of them be and they are hereby appointed commissioners, to open books, receive subscriptions and organize a company by the name of the Mount Airy and Lime Kiln turnpike and plank road company, with power to construct a plank road or turnpike road or each, in part, from Main street, (formerly in the township of Germantown, now in the Twenty-second ward of the city of Philadelphia,) where the same is intersected by Miller's lane; thence along said Miller's lane to the township line road; thence by the nearest and best route to the Lime Kiln turnpike road, subject to all the provisions and restrictions of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, Anno Domini one thousand eight hundred and forty-nine, and the several supplements thereto.

SECTION 2. That the capital stock of said company shall consist of one hundred and sixty shares, at fifty dollars per share: *Provided*, That said company may from time to time, by a vote of the stockholders at a meeting called for the purpose, increase their capital stock so much as in their opinion may be necessary to complete the road, and to carry out the true intent and meaning of this act: *Provided*, That said company shall commence said road in three years, and complete the same in five years after the passage of this act, otherwise the same to be null and

LAWS OF PENNSYLVANIA,

void, except so far as may be necessary to wind up the affairs of said company.

HENRY K. STRONG,
Speaker of the House of Representatives

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 523.

SUPPLEMENT

To an act to incorporate the Carbon Run Improvement Company.

WHEREAS, The Carbon Run improvement company have, in the construction of improvements upon their lands, incurred a debt, for the liquidation of which and for the purpose of defraying the expense of further improvements, it is desired to raise funds without incumbering the real estate of the company; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the said company shall be and they are hereby authorized to issue twenty thousand additional shares of capital stock, which shall, in all respects, stand upon the same footing as the thirty thousand shares already issued under their charter and by-laws; and the managers of the said company shall have the right and power of disposing of the said shares, or so many thereof as they deem it expedient to issue, upon such terms as they may deem proper: *Provided*, That of the new stock to be so issued, a *pro rata* proportion shall be first offered to each of the present stockholders, on the terms to be so adopted, before the same shall be offered for sale to any other person or persons: *Provided also*, That this act shall be ratified and accepted by at least two-thirds, in number and value, of the stockholders for the time being: *Provided*, That the stock issued under the provisions of this act shall be liable to a tax of one half per centum on the par value thereof.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 524.

AN ACT

Authorizing the Supervisors of Armstrong township, in the county of Lycoming,
to collect road taxes in money.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall and may be lawful for the supervisors of the townships of Armstrong and Wolf, in the county of Lycoming, to demand, collect and receive the road taxes hereafter assessed in said townships, from the person or persons charged with such tax or taxes respectively, the amount of such taxes in money, any law or usage to the contrary notwithstanding.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 525.

A SUPPLEMENT

To the act passed the twenty-ninth day of March, one thousand eight hundred and three, entitled "An Act to establish a Board of Wardens for the port of Philadelphia, and for other purposes."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all steamers trading to and from other parts, both foreign and coastwise, and all sailing vessels of over seventy-five tons burden, either by canal or sea, excepting ports in Pennsylvania, Delaware and New Jersey, shall pay the same harbor master's fees that sailing vessels are now required to pay: *Provided,* That not more than one hundred dollars shall be paid in any

one year by the owners of any line of steamers for harbor master's services.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 526.

A N A C T

To repeal the act incorporating the borough of Pleasant Mount, in Wayne county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That on and after the passage of this act, the law passed the twenty-seventh day of March, one thousand eight hundred and forty-five, creating the borough of Pleasant Mount, in the county of Wayne, be and the same is hereby repealed, and that Caverly Freeman, E. B. Benjamin and Rodney Hanns be and are hereby appointed auditors to settle all accounts in said borough: Provided, That all the debts of said corporation be first paid or otherwise assumed by the township in which the same is situated.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 527.

A N A C T

To build a Lock-up or House of Confinement for violators of law, in the borough of Ligonier, Westmoreland county, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Lock-up house to be built. the burgess and town council of the borough of Ligonier, in the county of Westmoreland, be and they are hereby authorized and empowered to have built or otherwise provided and supported in said borough, at the expense thereof, a suitable building for the security and temporary detention of any person or persons committed by any justice of the peace, burgess or constable of said borough, for any violation of the laws of this commonwealth, or of the ordinance or ordinances of the borough aforesaid, for which such person or persons could lawfully be committed to the jail of the county aforesaid, there to remain and be kept, at the discretion of said justice or burgess, not exceeding forty-eight hours.

SECTION 2. That the qualified voters of the said borough shall, on the first Monday in May next, elect three citizens auditors, one to serve for one year, one for two years, and one for three years, and annually thereafter they shall elect one citizen for the above specified office to serve three years, in accordance with the existing laws of this commonwealth regulating the election of township officers. Election of borough auditors

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 528.

A N A C T

Supplementary to an act, entitled "An Act to incorporate the Eclectic Medical College of Pennsylvania."

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

the word eclectic, be stricken out of the the third section in said act.

HENRY K. STRONG,
Speaker of the House of Representatives

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 529.

Relative to a certain burial ground in Bucks county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the commissioners of the county of Bucks, and they are hereby authorized and required as soon as practicable, to remove or cause to be removed to the burial ground of the Bucks county almshouse, the remains of all persons now interred in the public burial ground, situate at the corner of Court street and East street, in the borough of Doylestown, and known as Potter's Field, and that the same shall no longer be used as a place of burial.

Dead to be removed from certain burial ground.

Ground to be sold

Provide.

Proceeds to be paid into county treasury

SECTION 2. That it shall be the duty of the commissioners aforesaid, and they are hereby authorized and directed to sell at public sale or auction, to the highest and best bidder, and convey unto the purchaser thereof all their right, title and interest, and all the right, title and interest of Bucks county of, in and to the said lot of ground situate as aforesaid, containing one acre of ground: *Provided,* That the said commissioners shall give at least three weeks' notice of the time and place of such sale in one or more newspapers published in Doylestown.

SECTION 3. That the proceeds arising from the sale thereof shall be paid into the county treasury of said county, for the use of the county.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 530.

AN ACT

To provide for the ordinary expenses of Government, the Repairs of the Public Canals and Railroads, and other general and special Appropriations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the following sums be and the same are hereby specifically Appropriations. appropriated to the several objects hereinafter mentioned, for the year commencing on the first day of June, one thousand eight hundred and fifty-five, to be paid out of any moneys in the treasury not otherwise appropriated.

SECTION 2. For the salary of the governor of the commonwealth, three thousand five hundred dollars; for the salary of the secretary of the commonwealth, twelve hundred dollars, and the further sum of five hundred dollars to be paid to him as superintendent of common schools; for the salary of the deputy secretary of the commonwealth, fourteen hundred dollars; for the salary of the auditor general, including his compensation as commissioner of the sinking fund, seventeen hundred dollars; for the salary of the surveyor general, fourteen hundred dollars; for the salary of the attorney general, three hundred dollars; for the salary of the adjutant general, three hundred dollars; for the salary of the state treasurer, including his compensation as commissioner of the sinking fund, seventeen hundred dollars; for clerk hire in the state department, four thousand dollars, and the further sum of one thousand dollars, or so much thereof as may be necessary; for extra clerk hire for recording laws of one thousand eight hundred and fifty-four, and recording executive minutes from the twenty-seventh of October, one thousand eight hundred and fifty-two; for clerk hire in the auditor general's office, seven thousand six hundred dollars; for clerk hire in the state treasurer's office, four thousand dollars; for clerk hire in the surveyor general's office, six thousand four hundred dollars; for the salary of the state librarian, eight hundred dollars; for the salary of the clerk of the commissioners of the sinking fund, two hundred dollars.

Salaries of Governor, &c.
Clerk hire in public offices.
State Librarian.

SECTION 3. For the payment of the contingent expenses of the executive, state and school departments, to wit: For stationery, five hundred and fifty dollars; for postage, including telegraphic despatches, eighteen hundred dollars; for the payment of messengers, nine hundred and fifty dollars; for fuel and light, sixty dollars; for cleaning offices, thirty-five dollars; and for refurnishing executive chambers, two hundred and fifty dollars; for blank books, fifty dollars; for miscellaneous expenses in the secretary's office, fifty dollars; for painting, white-washing, alterations and repairs in the state department, two hundred and fifty dollars.

Contingent expenses of Executive, State and School departments.

SECTION 4. For the payment of contingent expenses of the auditor general's office, to wit: For postage and telegraphic despatches, five hundred dollars; for the pay of messenger, four hundred and fifty dollars; for stationery, three hundred and fifty dollars; for fuel, seventy-five dollars; for miscellaneous expenses, seventy-five dollars.

Auditor General's office.

Treasury department.

SECTION 5. For the payment of the contingent expenses of the state treasurer's office, to wit: For postage, three hundred and fifty dollars; for the payment of telegraphic despatches, seventy-five dollars; for stationery and blank books, two hundred dollars; for fuel and light, seventy-five dollars; for miscellaneous expenses, one hundred dollars; for messenger and night watch, five hundred and fifty dollars.

Surveyor General's office.

SECTION 6. For the payment of the contingent expenses of the surveyor general's office, to wit: For the pay of messenger, four hundred dollars; for postage, five hundred dollars; for stationery, blank books, et cetera, two hundred dollars; for fuel, seventy-five dollars; for repairs, sixty dollars; for washing and scrubbing, thirty-seven dollars; for miscellaneous expenses, fifty-eight dollars.

Legislature.

SECTION 7. For the payment of the expenses of the legislature, one hundred and twenty-five thousand dollars, including the pay of members, clerks, officers and contingent expenses.

Their compensation changed.

SECTION 8. That in lieu of the compensation now allowed to members and officers of the legislature, their compensation shall be according to the provisions of this act, and all acts and parts of acts now in force, relating thereto, shall be and the same are hereby repealed.

Pay of Members.

SECTION 9. That the members of the legislature shall severally receive the sum of five hundred dollars per annum, as a full compensation for their services, except as hereinafter otherwise provided.

Mileage.

SECTION 10. That the said members of the legislature shall also severally receive fifteen cents per mile, circular, for their expenses in going to and returning from each regular, adjourned and extra session, to be computed by the ordinary mail route between their places of residence and the capitol of the state.

Stationery, newspapers and lights.

SECTION 11. That the said members of the legislature shall also severally receive at every regular session the further sum of twenty-five dollars, for the purpose of purchasing stationery, newspapers and lights; and at each adjourned and extra session the sum of ten dollars for the same purpose.

Speakers; extra.

SECTION 12. That the speakers of the respective houses shall each receive the sum of one dollar per day additional compensation.

Pay at extra sessions.

SECTION 13. That the members of the respective houses shall each receive at every extra session, when convened by the executive, the sum of three dollars per day for their services; and at every adjourned and extra session, when not convened by the executive, the sum of one dollar and fifty cents per day.

Deductions to be made for absence.

SECTION 14. That no member or officer of either branch of the legislature shall receive any daily pay or other compensation for any day on which he shall fail or neglect to attend the sessions of the house of which he is a member or officer, unless his attendance is prevented by sickness of himself or family, or by the performance of duties assigned him by said house; and it shall be the duty of the clerk of each house to note upon the journal, every day, the absence of any member, and also to keep an account of the absence of any officer of the house, and furnish a full and accurate statement, in writing, of the absence of members, to the committee on accounts of the proper house, who shall disallow pay to any member so absent, for the time of such absence, and deduct the same from his compensation, at the rate of four dollars per day for any regular session, and

the amount per diem, at any adjourned or extra session, to which such member would have been entitled in case of attendance; and the said clerk shall also, at the close of each session, furnish to the auditor general a full and accurate statement of the absence as aforesaid, of any officer of the house of which he is clerk, during the session, and the amount of the daily pay of such officer for the time he has been so absent, shall be deducted from his compensation. In case of the necessary absence of any member or officer by reason of sickness of himself or his family, or the performance of duties assigned him by the house of which he is a member or officer, information thereof shall be given to such house, and upon being satisfied of the correctness of the fact, such member or officer shall be excused by the house for his non-attendance for the number of days he is so necessarily absent, and no deduction on account thereof shall in such case be made from his compensation.

SECTION 15. That the compensation and allowance to the officers of each branch of the legislature, (other than speaker,) shall be as follows:

Pay of officers of
Legislature.

I. The chief clerk and the assistant and transcribing clerks shall each receive the sum of three dollars per day while in attendance during any session, and a further allowance shall, at every regular session, be made to each chief clerk, of seven hundred dollars; to each assistant clerk, of three hundred and fifty dollars, and to each transcribing clerk, of two hundred and twenty-five dollars; and at every adjourned and extra session, to the said chief, assistant and transcribing clerks, one-half the amounts last mentioned, respectively.

Chief, Assistant
and Transcribing
clerks.

II. The sergeant-at-arms, door-keeper, messenger, and their assistants, shall each be entitled to receive the sum of two dollars for every day's attendance during their respective terms of service; and a further allowance shall, at every regular session, be made to each sergeant-at-arms, door-keeper and messenger and their assistants, of one hundred dollars each; and to said officers and assistants, at each adjourned and extra session, one-half the amounts last mentioned, respectively.

Sergeants-at-
arms, doorkeep-
ers, &c.

III. Each of the officers in this section mentioned and intended, shall also receive the sum of fifteen cents per mile, circular, for expenses in going to and returning from each session to be computed as in the case of members of the legislature.

Mileage of officers

IV. When any officer of either house shall be chosen or shall (except in case of sickness) serve for any less period than three-fourths of an entire session, who would be entitled, as aforesaid, to other compensation or allowance besides daily pay and mileage, he shall receive no greater portion of such additional compensation or allowance than the proportion which his time of actual service may bear to the whole duration of the session.

Pay in certain
cases.

V. Either house may allow a clerk to the committee to compare bills, in which case the speaker shall assign one of the transcribing clerks to act in such capacity.

Comparing clerks

SECTION 16. That the officers of the two houses shall, after the present session, be as follows, to wit: For the senate, one chief clerk, one assistant clerk, [clerk] three transcribing clerks, one sergeant-at-arms, one assistant sergeant-at-arms, one door-keeper, two assistant door-keepers, one messenger and one assistant messenger; for the house, one chief clerk, one assistant clerk, four transcribing clerks, one sergeant-at-arms, two assis-

Number of off-
cers regulated.

tant sergeant-at-arms, one door-keeper, three assistant door-keepers, one messenger and two assistant messengers; and said house may authorize the clerk thereof to employ two pages at a compensation not exceeding one dollar per day each.

Additional transcribing clerks.

SECTION 17. That the clerk of either house, with the assent of the speaker thereof, may, at any time, within twenty days of the expected termination of any session, employ an additional transcribing clerk, at a compensation not exceeding three dollars per day: *Provided*, That such additional clerk shall receive no mileage or extra compensation or salary.

Extra compensation prohibited.

SECTION 18. That no greater or other compensation or allowance than that provided by this act, shall be voted by either house to any member or officer thereof, for services performed at any session; and it is hereby made the duty of the chief clerk of each house, to index and prepare for publication, the journal of the house of which he is clerk, without other compensation than that provided in the fifteenth section of this act.

Repeal.

SECTION 19. That the proviso to the seventh section of an act, entitled "An Act to reduce the expenses of government," passed the seventeenth day of April, Anno Domini, one thousand eight hundred and forty-three, be and the same is hereby repealed: *Provided*, That no officer except the chief and assistant clerks, such transcribing clerks as the chief clerk may deem necessary, the sergeant-at-arms, door-keeper and messenger, shall be required to return at the opening of any session.

Proviso.

SECTION 20. For the preservation and repairs of the capitol, and the payment of outstanding accounts, three hundred dollars, to be disbursed under the direction of the secretary of the commonwealth, except as hereinafter provided, as follows:

Repairs of capitol.

For keeping in order and improving the public grounds and walks inside the enclosure, three hundred dollars.

Public grounds.

For repairs to roof of state and treasury departments, two hundred dollars.

State and treasury buildings.

For continuing and completing the work of enclosing the public grounds with an iron railing, at a price not to exceed the first contract price, and such as is now erected on Walnut street and on Third street, to North street, four thousand dollars, to be disbursed under the direction of the auditor general and state treasurer.

Enclosing public grounds.

For laying and curbing footway on Third street, from Walnut to North street, and constructing gutters outside and within the iron railing, from Walnut to North street on Third street, twenty-two hundred dollars, to be disbursed under the direction of Henry Peffer, who is hereby appointed superintendent of footways and grading, with a per diem allowance of one dollar and fifty cents for each day so necessarily employed in discharge of his duty, and who shall give bond in the sum of two thousand dollars, to be approved by the auditor general, for the faithful performance of his duty: *Provided*, That he shall not at any time draw more than one thousand dollars, without having first made a settlement of his account, in the usual manner, and that after having given ten days' public notice to contractors, he shall have awarded the work to the lowest and best bidder; the said superintendent shall dispose of the old materials of the present fence on Third street, and account for the same in the settlement of his account.

Paving along public grounds under direction of H. Peffer, superintendent.

Proviso.

For grading, preparing the grounds, and planting trees in the arsenal enclosure, nine hundred dollars, which sum shall be

Grading arsenal enclosure.

expended under the direction of the superintendent of footways and grading.

For the amount of L. G. Cunkle's bill, for gas fixtures for executive chamber, and other work, forty dollars and thirty-seven cents. L. G. Cunkle.

SECTION 21. That the pay of superintendent and watchman of the public buildings shall be two dollars per day, the accounts for which to be settled in the usual manner. Superintendent and watchman of public buildings.

SECTION 22. For the public printing, folding, stitching and binding, thirty thousand dollars. Printing.

SECTION 23. For packing and distributing the laws and journals of the legislature, seven hundred dollars; the packing and distributing the said laws and journals to be performed under the direction of the secretary of the commonwealth. Distributing laws.

SECTION 24. For miscellaneous expenses, three thousand dollars, to be accounted for in the usual manner. Miscellaneous.

SECTION 25. For the payment of the borough of Harrisburg, for supplying the public buildings with water, as per act of the twenty-eighth day of April, one thousand eight hundred and forty, six hundred dollars; for the payment of gas furnished for the public buildings and walks by the Harrisburg gas company, the sum of one thousand eight hundred dollars, or so much thereof as may be necessary for that purpose, to be paid on the warrant of the Governor, under contract with said company, in pursuance of the act incorporating said company and the supplements thereto. Water and gas for public buildings.

SECTION 26. For the support of the common schools, two hundred and thirty thousand dollars, to be paid on warrants drawn by the superintendent of common schools, in favor of the several school districts of the commonwealth, in proportion to the number of taxables inhabitants in each, after deducting clerk hire and necessary contingent expenses of the school department, to be accounted for in the usual way. Common schools.

SECTION 27. For the payment of pensions and gratuities, fifteen thousand dollars. Pensions.

SECTION 28. For the payment of the expenses of the judiciary, to wit: For the salaries and mileage of the judges of the supreme court, fifteen thousand two hundred dollars. Judiciary

For the payment of the judges of the district court of the city and county of Philadelphia, seven thousand five hundred dollars.

For the salaries of the judges of the district court of Allegheny county, four thousand four hundred dollars.

For the payment of the salaries and mileage of the president judges of the several judicial districts of the commonwealth, forty-eight thousand five hundred dollars.

For the payment of the salaries and mileage of the associate judges of the several counties of the commonwealth, sixteen thousand five hundred dollars.

SECTION 29. For the payment of the guaranty of the Danville and Pottsville railroad company, by the act of eighth day of April, one thousand eight hundred and thirty-four, eight thousand five hundred and seventeen dollars and fifty cents, it being the interest, in full, on said guaranty, up to the first day of August, one thousand eight hundred and fifty-five, payable in accordance with the act of twelfth day of April, one thousand eight hundred and fifty-one. To the Bald Eagle and Spring Creek navigation company, by the act of seventh April, one thousand eight Guaranty of interest.

hundred and thirty-five, ten thousand dollars. For the payment of the guaranty of the Tioga navigation company, by the act of the seventh April, one thousand eight hundred and thirty-five, six thousand dollars, or so much thereof as may be necessary.

Interest on State
debt.

SECTION 30. For the payment of the interest on the funded debt of the commonwealth that will fall due on the first days of July and August next, and the first days of January and February, one thousand eight hundred and fifty-six, the sum of two millions of dollars, or such sum as may be necessary therefor; and the state treasurer is hereby authorized, if it shall be necessary for the purpose of paying the interest of the funded debt falling due on the first of August next, to negotiate a temporary loan, for a sum not exceeding three hundred thousand dollars, on the same terms and conditions as was provided for by the second section of an act to provide for ordinary expenses of government, the repairs of the canals and railroads of the state, and the payment of other claims upon the commonwealth, passed on the eleventh day of April, one thousand eight hundred and forty-eight.

Ordinary repairs.

SECTION 31. For the ordinary repairs and improvements of the canals and railroads belonging to the commonwealth, for the year ending the thirtieth day of November, one thousand eight hundred and fifty-five, the sum of two hundred and fifty-six thousand four hundred and sixty-one dollars, in addition to the sum of two hundred and twenty-five thousand dollars appropriated by the act of ninth of May, one thousand eight hundred and fifty-four; for ordinary repairs after the first day of December, one thousand eight hundred and fifty-four, to be appropriated as follows, to wit:

For the Columbia and Philadelphia railroad, including rebuilding bridges at Pequa and Downingtown, eighty-two thousand three hundred dollars.

For the Allegheny Portage railroad, eighteen thousand seven hundred dollars.

For the Eastern division of the Pennsylvania canal, including re-building Swatara aqueduct, twenty thousand three hundred dollars.

For the Lower Juniata division, fifteen thousand dollars.

For the Upper Juniata division, nineteen thousand nine hundred dollars.

For the Upper Western division, seven thousand one hundred and eleven dollars.

For the Lower Western division, including completion of Freeport aqueduct, eight thousand five hundred dollars.

For the Delaware division, twenty-two thousand dollars.

For the Susquehanna division, seventeen thousand dollars.

For the West Branch division, seventeen thousand dollars.

For the Lower North Branch division, including new out-let lock at head of Nanticoke dam, twenty-eight thousand six hundred and fifty dollars.

Ordinary repairs
after December
1, 1855.

SECTION 32. For ordinary repairs to be made after the first day of December, one thousand eight hundred and fifty-five, two hundred and twenty-five thousand dollars; no part whereof, shall be expended before the said first day of December, except so much of the same as may be necessary for the purchase and preparation of materials for executing repairs after that time.

Motive power.

SECTION 33. For the expenses of motive power, for the year ending the thirtieth day of November, one thousand eight hun-

dred and fifty-five, the sum of four hundred and eighty-six thousand three hundred and fifty-eight dollars, in addition to the sum of one hundred thousand dollars appropriated by the act of ninth of May, one thousand eight hundred and fifty-four, to be appropriated as follows, to wit :

For the Columbia and Philadelphia railroad, including the purchase of four locomotive engines, and for steam hammer and turn tables, three hundred and thirteen thousand dollars.

For the Allegheny Portage railroad, including the purchase of four locomotive engines, one hundred and seventy-three thousand three hundred and fifty-eight dollars.

SECTION 34. For motive power expenses, from and after the first day of December, one thousand eight hundred and fifty-five, one hundred thousand dollars, to be appropriated as follows, to wit :

Motive power
after December
1, 1855.

For the Columbia and Philadelphia railroad, seventy thousand dollars.

For the Allegheny Portage railroad, thirty thousand dollars.

SECTION 35. For the payment of collectors, weigh-masters and inspectors, and for the incidental expenses of their offices, until the first of April, one thousand eight hundred and fifty-six, fifty-three thousand and eighty-seven dollars and seventy-nine cents; and for the payment of lock-keepers for the same period, the sum of fifty-two thousand nine hundred and thirty-three dollars and fifty cents; and that the resolution providing for the pay of the clerk of the commissioners of the internal improvement fund, approved the tenth day of May, one thousand eight hundred and thirty-nine, be and the same is hereby repealed.

Collectors, &c.

SECTION 36. For the payment of the canal commissioners and the expenses attendant upon their office, six thousand four hundred and ninety-five dollars, to be appropriated as follows, to wit :

Canal Commissioners' pay and
expenses of office.

For the compensation of the canal commissioners, four thousand three hundred and eighty dollars.

For the salary of the secretary of the board, one thousand dollars.

For extra clerk hire, two hundred dollars.

For messenger, three hundred dollars; for postage, two hundred and sixty-five dollars; for stationery and advertising, one hundred and fifty dollars; and for cleaning, repairs of office and miscellaneous expenses, two hundred dollars, including the purchase of a new carpet for the canal commissioners' room.

SECTION 37. For the repairs and re-building of road and farm bridges over the several lines of canals and railroads belonging to the commonwealth, sixteen thousand dollars.

Road and farm
bridges.

SECTION 38. For the payment of the Pennsylvania railroad company for the use of a portion of their road, under an article of agreement dated March the eighteenth, one thousand eight hundred and fifty-four, between the canal commissioners and the said company, twelve thousand five hundred dollars.

Pennsylvania
railroad.

SECTION 39. For the payment of debts contracted for repairs during the fiscal year ending November thirtieth, one thousand eight hundred and fifty-four, the sum of nineteen thousand six hundred and sixty-seven dollars and thirty cents, to be appropriated as follows, to wit :

Debts for repairs
in 1854.

For the Columbia and Philadelphia railroad, eight thousand nine hundred and fifty-eight dollars and ninety-three cents.

For the Eastern division of the Pennsylvania canal, four

thousand four hundred and fifty-one dollars and twenty-one cents.

For the Upper Juniata division, four thousand four hundred and thirty-four dollars and fifty-seven cents.

For the Susquehanna division, one thousand eight hundred and twenty-two dollars and fifty-nine cents.

Debts prior to De-
cember 1, 1853.

SECTION 40. For the payment of debts contracted previous to the first day of December, one thousand eight hundred and fifty-three, (on lines not embraced in the report of the commissioners of claims,) the sum of four thousand four hundred and forty-one dollars and seventy-three cents, as follows, to wit:

For the Delaware division of the Pennsylvania canal, two thousand five hundred and eighty-five dollars and fifty-six cents.

For the Susquehanna division, four hundred and seventy-six dollars and four cents.

For the West Branch division, one thousand three hundred and eighty dollars and thirteen cents.

Motive power
debts in 1854.

SECTION 41. For the payment of motive power debts, for the year one thousand eight hundred and fifty-four, on the Allegheny Portage railroad, eleven thousand one hundred and thirty-five dollars and three cents.

Upper North
Branch canal.

SECTION 42. For the Upper North Branch canal, the sum of sixty-three thousand three hundred and nineteen dollars and fifty-three cents, to be applied as follows, to wit:

To pay debts due, fourteen thousand two hundred and forty-nine dollars and fifty-three cents.

For repairs and passing water through the said canal for the year one thousand eight hundred and fifty-five, forty-nine thousand and seventy dollars, in addition to the sums of twenty-five thousand dollars set apart for that purpose out of the appropriation for winter repairs, made by the act of the ninth of May, one thousand eight hundred and fifty-four.

For the erection and preparation of reservoirs and feeders to supply the said canal with water and facilitate the passage of boats, inclusive of land damages, ten thousand dollars, or so much thereof as may be necessary, the said outlay to be made with the assent and approval of the board of canal commissioners.

W. R. Maffit ap-
pointed superin-
tendent of North
Branch canal.

SECTION 43. That William R. Maffit be and he is hereby appointed superintendent and engineer of the North Branch extension of the Pennsylvania canal from Pittston northward, for the term of five years from the passage of this act, at an annual salary of three thousand dollars, liable to be removed at any time by the legislature; and in the event of a sale of said canal, the appointment hereby made shall cease from the time of such sale.

Power of superin-
tendent.

SECTION 44. That the said superintendent shall have the appointment, control and removal of all agents and employees on said canal, except collectors; he shall cause such alterations of said canal and its appurtenances, as may in the opinion of the canal commissioners and said superintendent be requisite to give full efficiency to said improvement; he shall draw moneys for repairs, and the money hereby appropriated, in the manner now practised, and under like bonds and surety as are now given by him; he shall make annual reports to the board of canal commissioners, as other canal officers are required to do, showing in detail the operations on said canal for the preceding year, and specific estimates for repairs for the ensuing year, and any pro-

posed changes and alterations of said improvement, and generally as to the management and improvement of said canal.

SECTION 45. That the canal commissioners may, for official misconduct, during the recess of the legislature, suspend the appointment hereby made, and supply the place of the said superintendent until the meeting of the next legislature, and shall then report to said legislature their action, with the causes thereof.

May be removed
by Canal Com-
missioners.

SECTION 46. That the said William R. Maffit shall, within twenty days after the passage of this act, notify the canal commissioners of his acceptance of this appointment.

His acceptance.

SECTION 47. For the repairs of any damages that may be done to any portion of the public works, by breaches or fire, the sum of fifty thousand dollars is hereby appropriated: *Provided*, That before any part of the said sum shall be drawn from the state treasury, the canal commissioners shall certify to the state treasurer and auditor general the nature and extent of such damages, and the amount deemed necessary to be drawn from the treasury to meet the expenses for repairing such damages; and if the auditor general and state treasurer concur in opinion as to the necessity of making such repairs before the commencement of the next session, the amount required for such purpose, not exceeding the sum hereby appropriated, may be advanced to the proper disbursing officer or officers.

Repairs to public
works.

SECTION 48. For the completion of the Allegheny Portage railroad, the sum of two hundred and seventy-seven thousand seven hundred and thirty dollars, including the sum of eighty thousand dollars appropriated at the present session of the legislature.

Allegheny Port-
age railroad.

SECTION 49. For the purpose of constructing a dam and in-let lock at the mouth of Mill creek, in the county of Luzerne, agreeably to the provisions of an act approved the fifth day of April, one thousand eight hundred and fifty-five, in case the canal commissioners shall determine to construct said dam and in-let lock, the sum of twenty thousand dollars, or so much thereof as may be necessary.

Dam and in-let
lock at Mill
creek.

SECTION 50. That in view of the large amount of tonnage about to be concentrated on the Juniata division of the Pennsylvania canal, at or near Huntingdon, the construction of a weigh-lock and basin at that point is necessary; and it shall therefore be lawful for the Huntingdon and Broad Top Mountain railroad and coal company to construct, at the point named, a basin and weigh-lock, on the completion of which the president and treasurer of the said company shall report, under oath, to the canal commissioners, the cost of the same, and the canal commissioners shall allow to the aforesaid company a drawback of twenty per centum, on the amount of tolls paid to the commonwealth, on coal which shall have passed over the railroad of the said company, until the said drawback shall amount to the sum expended for this purpose by the said company: *Provided*, That the amount of drawbacks to be allowed said company shall not exceed the sum of twenty-five thousand dollars: *Provided also*, That if the main line of the public works shall be sold under any act of the present legislature, then this section shall be null and void: *And provided further*, That the weigh-lock shall be put under the control of the state, as soon as it shall be finished; and when the drawback amounts to sufficient to pay for weigh-lock and basin, they shall become the property of the state; and that the work shall be built under the super-

Broad Top Moun-
tain railroad com-
pany authorized
to construct a
weigh lock and
basin at or near
Huntingdon.

Proviso.

Proviso.

Proviso.

vision of a person to be appointed by the canal commissioners, whose certificate shall accompany the statement of the company as to the amount expended.

Columbia rail-
road.

SECTION 51. For re-laying the south track of the Columbia railroad, two hundred and fifty thousand dollars; fifty thousand dollars of said sum to be drawn from the treasury after the first day of December, one thousand eight hundred and fifty-five, for the purchase of materials for finishing the re-laying of said south track, during the year one thousand eight hundred and fifty-six.

Payment of ap-
propriations reg-
ulated.

SECTION 52. That the appropriations by this act made applicable for repairs and motive power expenses on the canals and railroads belonging to the commonwealth, and for the payment of debts on the several lines of the public works, may be paid by the state treasurer, on the presentation of the required vouchers, and at such times after the passage of this act as the interest of the public service may require, keeping in view the different sections of the works, as severally specified: *Provided*, That in case the main line of the public works should be sold under the provisions of any law of this commonwealth, then the payment of the appropriations to said main line, which remain unexpended at the time of such sale, shall be suspended.

Proviso.

Reports to be
made by superin-
tendents and su-
pervisors.

SECTION 53. That it shall be the duty of the superintendents of motive power, and supervisors of repairs of the several lines of canal and railroad belonging to the commonwealth, at the close of each fiscal year, to report to the board of canal commissioners a detailed statement of all the debts due and unpaid on their respective lines, showing the names of the persons to whom the debts are due, the amount of such debt, and character of the services rendered, or materials purchased.

Penalty for ne-
glect.

SECTION 54. That if any superintendent or supervisor as aforesaid shall neglect to report the amount of the indebtedness of his line for each fiscal year, the superintendent or supervisor so neglecting to perform the duty prescribed in the preceding section of this act, shall, together with the sureties on his official bond, be jointly and separately liable to any and every person whose claim against the commonwealth he has failed to report to the board of canal commissionees at the close of such fiscal year, to be recovered as debts of a similar amount are now recoverable by law.

Eastern peniten-
tiary.

Western peniten-
tiary.

SECTION 55. For the payment of the salaries of the officers of the Eastern penitentiary, nine thousand five hundred dollars; for the payment of the salaries of the officers of the Western penitentiary, nine thousand two hundred and twelve dollars, and to reimburse the manufacturing fund of the said Western penitentiary, five thousand dollars: *Provided*, That the amount of salaries to be paid to said officers shall be fixed by the respective boards of inspectors, and shall in no case exceed the rates allowed prior to the act of seventeenth of April, one thousand eight hundred and forty-three.

House of refuge,
Philadelphia.

Institute for the
blind.

SECTION 56. For the house of refuge of Philadelphia, five thousand dollars, in accordance with the provisions of an act passed in the year one thousand eight hundred and fifty-two; also, to the house of refuge of Philadelphia, six thousand dollars, as required by the provisions of an act, passed the tenth day of April, one thousand eight hundred and fifty-one; for the Pennsylvania institution for the instruction of the blind, seventeen thousand dollars; for the instruction of indigent pupils in the

Pennsylvania institution for the deaf and dumb, seventeen thousand dollars; and for the house of refuge of western Pennsylvania, seven thousand dollars: *Provided*, That the sums appropriated to the institutions for the instruction of the blind and deaf and dumb, shall be paid to said institutions, in proportion to the number of indigent pupils received by each from the several counties of this commonwealth, at the rates for each pupil as prescribed by law, evidence of the number of pupils to be furnished to the state treasurer.

Deaf and dumb.
House of refuge
Pittsburg.

Proviso.

SECTION 57. That the state treasurer is hereby authorized to pay to the treasurer of the Pennsylvania training school for idiotic and feeble minded children, such amount as said institution may be entitled to receive under the provisions of the sixth section of the act incorporating said school, passed on the seventh day of April, one thousand eight hundred and fifty-three.

Idiotic and feeble
minded children.

SECTION 58. For the payment of the adjutant general for visiting the arsenals of the commonwealth, as directed by the act of April, one thousand eight hundred and twenty-two, entitled "An Act for the regulation of the militia of this commonwealth," the sum of two hundred and fifty dollars.

Adjutant General
visiting arsenals.

SECTION 59. To James Keenan, late adjutant general, the sum of two hundred and fifty dollars, as payment for visiting the arsenals of the commonwealth, in the year one thousand eight hundred and fifty-two, as directed by the act of second of April one thousand eight hundred and twenty-two, entitled "An Act for the regulation of the militia of this commonwealth:" *Provided*, That the accountant officers shall first be satisfied that the said sum is due, and that no part thereof has at any time been paid.

James Keenan
late Adjutant
General.

Proviso.

SECTION 60. For the payment of rent to James Rice and Francis M'Kinney, of the storehouse in Philadelphia, occupied by the adjutant general for the storage of arms, munitions of war and other materials belonging to the state, the sum of four hundred dollars, due June twenty-second, one thousand eight hundred and fifty-five.

James Rice and
Frs. M'Kinney.

SECTION 61. For the payment of the salary of the superintendent of the public printing, eight hundred dollars.

Superintendent of
printing.

SECTION 62. For the Pennsylvania State lunatic hospital, the sum of twenty-five thousand dollars, to be drawn by the trustees of the said hospital for the use of the institution, to be accounted for in the usual manner.

State Lunatic
hospital.

SECTION 63. For the miscellaneous expenses of the state library, to wit: For repairs, white-washing, packing, freight, two hundred and twenty dollars; for binding, two hundred dollars; for making book cases, two hundred dollars; for purchasing law books, one thousand dollars; miscellaneous books, five hundred dollars; for old debts, fifty dollars.

State Library.

SECTION 64. That the state treasurer is hereby authorized and required to pay John A. Smull, the same compensation that is now paid by law to the transcribing clerks; and also to pay to the clerk of the house of representatives, the sum of two hundred and fifty-four dollars, to be paid by the said clerk; and he is hereby authorized and directed to pay the said sum to Robert W. Spears and Robert V. Vaughn, in equal parts to each, the sum of one hundred and twenty-seven dollars, for their services as pages during the present session.

John A. Smull.

Robt. W. Spears.

Robt. V. Vaughn.

SECTION 65. For the payment of the Junction canal company, twenty thousand dollars, that being the commonwealth's por-

Junction canal
company.

tion of the expense of building the dam and lock which supplies the upper level of the North Branch canal with water, including land damages, as per agreement of the governor and canal commissioners with said company, under the acts of assembly of the twenty-third of February, one thousand eight hundred and fifty-three, and of April, one thousand eight hundred and fifty-five.

R. H. Adams.

SECTION 66. For the payment in full of Richard H. Adams, late a transcribing clerk in the house of representatives, the sum of one hundred and fifty-three dollars, for services rendered the house of representatives during the summer of one thousand eight hundred and fifty-four, under the direction of the late chief clerk.

Geo W. M'Calla
repairing clocks.

SECTION 67. To George W. M'Calla, the sum of twenty-five dollars, for repairing the clock in the senate chamber, and a like sum of twenty-five dollars for repairing the clock in the hall of the house of representatives; and for the repair of the clock in the dome of the capitol, a sum not exceeding two hundred and fifty dollars, to be expended under the direction of the clerks of the two houses, the accounts to be settled in the usual manner.

Clyde & Hamilton.

SECTION 68. For the payment of Clyde & Hamilton, for the publication of the Legislative Record, for one hundred and twenty-six days, one thousand two hundred and eighty dollars, in addition to the sum of two thousand five hundred dollars previously appropriated at the present session.

F. Fraley.

SECTION 69. To F. Fraley, chairman of the committee to the London industrial exhibition, seventy-nine dollars and seventy cents, for expenses incurred in the performance of his duties.

Canal tolls.

SECTION 70. That so much of the act of the twenty-second of April, one thousand eight hundred and forty-six, entitled "An Act fixing the time for the adoption and publication of tolls on the public works;" and so much of the act of the tenth of May, one thousand eight hundred and fifty, entitled "An Act to provide for the ordinary expenses of government," as prohibits the canal commissioners from increasing during any year the rates of toll fixed at the commencement of the same, or any previous year, be and the same are hereby repealed.

Banks and other
institutions to
make report to
Auditor General.

SECTION 71. That all banks, institutions and companies or every kind and nature whatever, incorporated under or in pursuance of any act of the legislature of Pennsylvania, general or special, or of any other state, and doing business in this state, shall give notice, accompanied by the oath or affirmation of the president, secretary or treasurer, to the auditor general, of the corporate name, date of incorporation, time of commencing business and place of business of such bank, institution or company, the amount of capital stock, dividends declared, if any, with rate and time thereof, or the value of stock, according to the provisions of the act to reduce the state debt, and to incorporate the Pennsylvania canal and railroad company, passed April twenty-ninth, one thousand eight hundred and forty-four.

Penalty for not
paying tax.

SECTION 72. That all banks, institutions and companies who do not, by their officers, as aforesaid, give notice to the auditor general, as aforesaid, on or before the thirtieth day of November next, and annually thereafter, and pay the amount of tax they are legally chargeable with, into the state treasury in the month of December then following, shall forfeit and pay for the use of the commonwealth interest thereon, at the rate of twelve per cent. per annum until paid.

SECTION 73. That it shall be the duty of the auditor general, Auditor General to give notice. immediately after the passage of this act, to give notice of the provisions of the next two preceding sections, by publication in at least two newspapers published in Philadelphia, Harrisburg and Pittsburg, for four weeks, and the expense thereof shall be settled in the usual manner and paid out of the state treasury.

SECTION 74. That it shall be the duty of each city and county treasurer, and other officer having charge of moneys belonging to the commonwealth, in any county where there is a depository for the public moneys, on the first Monday of June next, and at the close of each month thereafter, to pay over to the state treasurer, or to deposit at such place as the said officer may designate, the entire amount of collections for the preceding month; and he shall also make out and transmit to the state treasurer a statement showing the aggregate of the amount of money so received and paid and the amount received each day: *Provided*, That this section shall not be construed to repeal any law now in force requiring any of said officers to pay over the amounts received by them at shorter intervals. Treasurers and other officers to pay over monthly

SECTION 75. That in case any city or county treasurer, or other public officer of this commonwealth charged with the collection, safe keeping, transfer or disbursement of public money, who has given, or hereafter shall give, bonds with security for faithfully paying over or accounting for such public money in any manner prescribed by any existing law, and such treasurer or other public officer as aforesaid, or any of his sureties respectively, shall become insolvent, or in failing circumstances, or any such sureties shall die or abscond, it shall and may be lawful in any such case to require new bonds with new security, to be approved of in like manner as the original bond and sureties are now by law required to be given and approved: *Provided however*, That such new bonds and sureties shall be given only at the instance and request of the state treasurer, or the commissioners of any city or county wherein such public officer collects, keeps, transfers or disburses such public moneys as aforesaid. Proviso. New bonds may be required of treasurers and other public officers.

SECTION 76. That the thirty-third section of the act of twenty-ninth day of April, one thousand eight hundred and forty-four, entitled "An Act to reduce the state debt, and to incorporate the Pennsylvania canal and railroad company," be and the same is hereby repealed, so far as it relates to the several turnpike and plank road companies of this commonwealth paying dividends not exceeding one per cent., and nothing herein contained shall apply to any such companies. Repeal of act of 1844 as to certain companies.

SECTION 77. That the clerks of the senate and house of representatives be authorized to pay the women employed by them for cleansing the halls of the two houses, et cetera, each twenty dollars, in addition to the usual compensation; and the clerk of the house be authorized to pay to each of the pages of the house twenty-five dollars. Wash-women.

SECTION 78. To William P. Brady, the sum of one hundred dollars, for compiling and preserving copies of the daily Legislative Record. Wm. P. Brady.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five. JAS. POLLOCK.

No. 531.

A FURTHER SUPPLEMENT

To an act Regulating Banks, approved April sixteenth, one thousand eight hundred and fifty.

Bonds of cashiers regulated.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the fifth article of the tenth section of the act to which this is a supplement, is hereby amended so as to authorize the stockholders of any bank to determine at any general or special meeting regularly convened for the purpose, the amount of the bond required from the cashier: *Provided, That* in all cases where the capital of any bank shall be five hundred thousand dollars, or upwards, the amount of said bond shall not be less than fifty thousand dollars; and in no case shall the bond of any cashier be for a sum less than twenty thousand dollars.

Banks may have vice presidents and assistant cashiers.

SECTION 2. That it shall be lawful for the board of directors of any bank to elect a vice president and an assistant cashier, and to empower said vice president and assistant cashier to sign all checks, notes and other documents which require the signature of the president and cashier, or either, and to perform such other duties as the said board of directors may impose upon them: *Provided, That* the board of directors of any bank which shall elect the officers hereby authorized, shall give ten days' notice thereof, in at least one newspaper published in the city or county in which the bank is located.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 532.

A FURTHER SUPPLEMENT

To an act for the regulation and continuance of a System of Education by Common Schools, approved the eighth day of May, Anno Domini, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* so much of the act to which this is a supplement, as abolishes independent districts at present established under special acts of assembly, shall not take effect until the first day of June, one thousand eight hundred and fifty-six.

Independent districts continued until June 1, 1856.

SECTION 2. That the continuance of independent districts beyond the period named in the foregoing section, may be allowed, when on the application of the directors of any such district to the judges of the court of common pleas of the county in which any portion of said district may be located, setting forth the necessity for its continuance, the said judges may, after careful consideration, decree the same; and that in all cases where the said court shall refuse to allow a further continuance of any such district, they shall be authorized and required, also, to determine the rights of property vested in the several school boards in any such district, and make proper disposition of the same: *Provided*, That the board of school directors of the townships out of which any such applying independent school district may be formed, shall have received ten days' notice of the proposed application, and of the time and place of hearing.

Courts of common pleas authorized to continue existing independent districts permanently, if desired, and determine rights of property.

Ten days' notice required.

SECTION 3. That the assessors in each and every township, where any portion of said township may be included within the limits of an independent school district, shall write on their duplicates, opposite to the names of the persons residing within said independent district, the letters I. D., for the information of the collector of said tax and the county commissioners.

Assessors to designate the taxables in independent districts when continued.

SECTION 4. That in all cases in which school directors of independent districts have not been chosen at the recent spring elections, or on the day specially fixed by law, it shall be lawful for the qualified voters of any such district, to meet at their usual place of holding similar elections, ten days' notice thereof having been given by the late president of the proper board, and shall elect two persons to serve as school directors for the ensuing year; and the remaining members and officers of the board who would have continued in office under the provisions of the supplement to the school law of May eighth, one thousand eight hundred and fifty-four, be and they are hereby continued in office until the expiration of the terms for which they were originally elected; the said elections shall be held and conducted in the same manner and by the same persons heretofore authorized by law.

New directors to be elected in existing independent districts, and old directors continued.

SECTION 5. That upon petition of not less than twenty taxable inhabitants of any township or townships, desiring the formation of the territory upon which they reside, into a separate and independent common school district, and setting forth the bounds of such proposed district, the court of quarter sessions of the

Twenty taxables may petition for creation of a new independent district.

Courts of quarter sessions authorized to appoint commissioners to view and make report, as in the case of new townships.

Proviso for costs and fees.

Newly created district to be subject to the third and fourth sections of the act of May 8, 1854.

Courts of quarter sessions to determine rights of property to decree payment of money in nature of a judgment, recoverable under the twenty-first section of the act of May 8, 1854.

County commissioners to cause separate assessment for school tax in new districts, and send Superintendent of Common Schools list of taxables.

Pay of assessors.

State superintendent to call convention of directors to increase salary of county superintendents.

proper county, shall appoint commissioners to view the premises and report to the court at its next term, the lines of the proposed new district, either according to the bounds set forth in the petition, or to such other bounds as they shall think more advisable, together with their opinion on the expediency of establishing or not establishing the same, the proceedings upon which petition, commission and report, and the final disposition thereof shall, in all other respects, be according to the act of assembly now in force, relative to the erection of new townships: *Provided*, That if said proceedings result in the establishment of a new common school district, the cost of the commission and the office fees shall be paid by the said new district, but if otherwise, said costs and fees shall be paid by the petitioners themselves.

SECTION 6. That whenever a new district shall be erected according to the provisions of this act, it shall become, to all intents and purposes of the common school system of the state, a separate and independent district, subject, however, to the provisions of the third and fourth sections of the act to which this is a supplement; and the proper court of quarter sessions shall moreover determine, on hearing, whether an undue proportion of the real estate and school houses belonging to the old district or districts are within the bounds of the new district, and if so, how much money shall be paid therefor by the new to the old district or districts, and in what proportions and at what time; and *vice versa* if less than its due share of real estate or school houses is within said new district, how much shall be paid to it by the old district or districts, and in what proportions and at what times; the order for the payment of which several sums shall, from the date thereof, be in the nature of a judgment, and the amount recoverable according to the provisions of the twenty-first section of the act to which this is a supplement.

SECTION 7. That at the next annual assessment after the erection of any such new common school district, it shall be the duty of the county commissioners of the proper county to cause a separate assessment of the subjects and things liable to school tax in each portion of the new district lying within his proper township to be made out by the proper assessor thereof, and to be returned to them, wherefrom, after adjustment, they shall cause to be made a correct copy of the assessment thus obtained, in every portion of the new district, and shall furnish the same to the secretary thereof, in accordance with the twenty-ninth section of the act to which this is a supplement; and they shall, in like manner and at the same time, cause to be made out and furnished to the state superintendent of common schools, a full list of all the taxable inhabitants of said new district, according to the provisions of the forty-ninth section of the act to which this is a supplement; and they shall pay out of the county funds to said assessors, the usual compensation for the services enjoined by this section.

SECTION 8. That the state superintendent of common schools shall, on the application of the boards of directors of a majority of the school districts in any county of this commonwealth, stating their desire to increase the salary of the county superintendent, fixed at any of the periods named in the thirty-ninth section of the school law of one thousand eight hundred and fifty-four, or at any subsequent triennial convention of directors,

appoint the time and place of re-assembling of the convention of directors, who shall have all the powers conferred by the said thirty-ninth section.

SECTION 9. That the Pennsylvania School Journal shall be recognized as the official organ of the department of common schools of this commonwealth, in which the current decisions made by the superintendent of common schools shall be published free of charge, together with all official circulars and such other letters of explanation and instruction as he may find it necessary or advisable to issue from time to time, including his annual report; and the superintendent is hereby authorized to subscribe for one copy of said School Journal, to be sent to each board of school directors in the state, for public use, and charge the cost thereof to the contingent expenses of the department of common schools.

Pennsylvania School Journal to be official organ of State superintendent, and to contain current decisions, circulars, explanations, &c.

One copy to each board of directors in the State.

SECTION 10. That all boroughs and townships now connected in the assessment of county rates and levies, shall hereafter be separate and independent of each other in the assessment of said rates and levies, and for school purposes; and the respective townships and boroughs so separated, shall elect their own assessors and other officers, whose duty it shall be to exercise the same powers and authority as are now exercised by township assessors generally, in the discharge of their duties in relation to the assessment of county rates and levies.

Certain boroughs and townships to be hereafter separate in assessment of county rates and levies, and for school purposes.

SECTION 11. That the twenty-ninth section of the act to which this is a supplement, shall not be construed to authorize the taxation of any object or property, for school purposes, which shall not be contained in the copy of the last adjusted valuation of proper subjects and things made taxable for state or county purposes, furnished to the board of directors, or controllers, by the county commissioners.

School tax limited to subjects certified by county commissioners.

SECTION 12. That tax collectors are township, ward or borough officers, within the true intent and meaning of the general school law of one thousand eight hundred and forty-nine, and one thousand eight hundred and fifty-four, and that school directors and treasurers of the school fund were and are exempt from serving as such collectors, within the meaning of said acts.

School directors and treasurers exempted from serving as tax collectors.

SECTION 13. That the superintendent of common schools be authorized and directed to pay out the state appropriation to the respective school districts, for this present school year, in all cases where bona fide efforts have been made to comply with the provisions of the law requiring the schools to be kept open four months, but failed from want of teachers or timely knowledge of the late law, or other cause which shall be deemed just and satisfactory to the superintendent.

State appropriation for 1854, '55 to be paid out for less than four months schooling.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The eighth day of May, one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 533.

A SUPPLEMENT

To the act incorporating the Western Pennsylvania Hospital.

Appropriation.

Proviso.

Proviso.

Courts may commit to hospital.

Courts to certify.

Proviso.

Insane paupers to be sent to hospital.

Payment of expenses.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the sum of ten thousand dollars be and the same is hereby appropriated to aid in extending and perfecting the accommodations for the insane in the Western Pennsylvania hospital, located at Pittsburg, to be drawn upon the warrants of the governor: Provided, That not more than one half of the above named sum shall be drawn from the state treasury for the use above specified, in any one year: And provided further, That no part of said money shall be drawn from the treasury until contracts shall have been actually made for the erection of the additional buildings necessary to carry out the provisions contemplated in the following sections of this act.*

SECTION 2. That the courts of western Pennsylvania shall have power to commit to said hospital any person who having been charged with an offence punishable by imprisonment or death, who shall have been found to have been insane, in the manner now provided by law, at the time the offence was committed, and who still continues insane; and the expenses of said persons, if in indigent circumstances, shall be paid by the county or township to which he or she may belong by residence.

SECTION 3. That it shall be the duty of the court in all cases where they shall commit any person to the hospital, to certify to the managers of the hospital the legal settlement of such person, if he or she have any legal settlement in this commonwealth; and if such person shall have no such settlement, then to certify the place of residence at the time of offence committed, on application; and the poor district so certified to be the place of settlement or residence of such person, shall be chargeable with the expenses of his or her care and maintenance and removal to and from said hospital: *Provided, That the settlement or residence of any such person shall not be so certified until after due notice shall have been given to the constituted authority having charge of poor in the district to be charged thereby.*

SECTION 4. That the several constituted authorities having care and charge of the poor in the respective counties, districts and townships of western Pennsylvania, shall have authority to send to the hospital such insane paupers under their charge as they may deem proper subjects; and they shall be severally chargeable with the expenses of the care and maintenance, and removal to and from the hospital of such paupers.

SECTION 5. That if the guardians, directors or overseers of the poor, to whom any patient who shall be in the hospital, is chargeable, shall neglect or refuse upon demand made, to pay to the managers the expenses of the care, maintenance and removal of such patient, and also in the event of death, of the

funeral expenses of such patient, the said managers are hereby authorized and empowered to collect the same as debts of a like nature are now collected.

SECTION 6. That the admission of insane patients from the several counties of western Pennsylvania, shall be in the ratio of their insane population: *Provided*, That each county shall be entitled to send at least one insane patient. Rights of admission.

SECTION 7. That indigent persons and paupers shall be charged for medical attendance, board and nursing, while residents in the hospital, no more than the actual cost; paying patients whose friends can pay their expenses, and who are not chargeable upon counties or townships, shall pay according to the terms directed by the managers. Charges

SECTION 8. That if any person shall apply to any court of record in western Pennsylvania, having jurisdiction of offences that are punishable by imprisonment, for the term of ninety days or longer, for the commitment to said hospital of any insane person within the county in which said court has jurisdiction, it shall be the duty of said court to inquire into the fact of insanity in the manner provided by law; and if such court shall be satisfied that such person is by reason of insanity unsafe to be at large, or is suffering any unnecessary duress or hardship, such court shall on the application aforesaid commit such insane person to said hospital. Duty of courts to make certain inquiries

SECTION 9. That in order of admission recent cases shall have preference over those of long standing, and as far as the finances of the hospital will permit, the indigent insane shall have precedence of the rich. Order of admission.

SECTION 10. That western Pennsylvania for all the intents and purposes of this act, shall be considered as containing the several counties embraced within the limits of the Western judicial district of the supreme court of Pennsylvania. District entitled to send patients.

SECTION 11. That the governor, judges of the several courts of record of the commonwealth, and the members of the legislature, shall be ex-officio visitors of the institution. Visitors

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 534.

AN ACT

To punish and prevent Frauds in the use of False Stamps, Labels and Trade Marks.

Penalty for counterfeiting labels, wrappers, marks, &c.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act, entitled "An Act to punish and prevent frauds in the use of false stamps and labels," passed the third day of March, in the year of our Lord one thousand eight hundred and forty-seven, be and the same is hereby amended so as to read as follows: Every person who shall knowingly and wilfully forge or counterfeit, or cause or procure to be forged or counterfeited any representation, likeness, similitude, copy or imitation of the private stamps, wrappers or labels usually affixed by any mechanic or manufacturer to, and used by such mechanic or manufacturer on, or in the sale of any goods, wares or merchandize, with intent to deceive or defraud the purchaser or manufacturer of any goods, wares or merchandize whatsoever, upon conviction thereof shall be punished by imprisonment in the county jail, for a term not less than three months, nor more than two years.

Penalty for having dies, plates, labels, &c.

SECTION 2. That every person who shall have in his possession any die, plate, engraving, or printed label, stamp or wrapper, or any representation, likeness, similitude, copy or imitation of the private stamp, wrapper or label usually affixed by any mechanic or manufacturer to, and used by such mechanic or manufacturer on, or in the sale of any goods, wares or merchandize, with intent to use or sell the said die, plate, engraving or printed stamp, label or wrapper, for the purpose of aiding or assisting in any way whatever in vending any goods, wares or merchandize in imitation of, or intended to resemble, and to be sold for the goods, wares or merchandize of such mechanic or manufacturer, shall, upon conviction thereof, be punished by imprisonment in the county jail, for a term not exceeding one year.

Penalty for vending goods having forged labels, &c. on them.

SECTION 3. That every person who shall vend any goods, wares or merchandize, having thereon any forged or counterfeited stamps or labels, imitating, resembling or purporting to be the stamps or labels of any mechanic or manufacturer, knowing the same to be forged or counterfeited, and resembling or purporting to be imitations of the stamps or labels of such mechanic or manufacturer, without disclosing the fact to the purchaser thereof, shall, upon conviction, be deemed guilty of a misdemeanor, and shall be punished by imprisonment in the county jail, for a term not exceeding one year, or by a fine not less than fifty nor more than five hundred dollars.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 535.

A N A C T

Supplementary to an act, entitled "An Act to establish an Asylum for the Insane of this Commonwealth," approved the fourth of March, Anno Domini one thousand eight hundred and forty-one.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the superintendent of the Pennsylvania State lunatic hospital, on or before the first day of June next, and of each and every year thereafter, to certify to the state treasurer each and every county that is in arrears, with the amount due from each, for patients admitted under the provisions of the acts to which this is a further supplement; and the state treasurer shall immediately thereupon cause suit to be brought, in the name of the commonwealth, against said county in arrears, for the amount due and unpaid.

Superintendent to
certify to State
Treasurer.

SECTION 2. That upon receiving any moneys collected as aforesaid, it shall be the duty of the state treasurer to pay the same over to the treasurer of said institution.

Money to be paid
to treasurer of
asylum

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 536.

A N A C T

Supplementary to an act incorporating the Pittsburg and Erie Railroad Company

WHEREAS. The Ohio and Pennsylvania railroad company have declined accepting the provisions of the supplement to the charter of the Pittsburg and Erie railroad company, passed the fourth day of May, Anno Domini one thousand eight hundred and fifty-four; therefore,

Preamble

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

Authorized to
make certain ar-
rangements.

the Pittsburg and Erie railroad company, be and they are hereby authorized and empowered to make similar arrangements with any other railroad company, for building or supplying any part of their road between the cities of Pittsburg and Erie, so as to form a complete railroad connection between the two cities, as provided by the last supplemental act; and any railroad company or companies with which the Pittsburg and Erie company, as aforesaid, shall make any contract or contracts, as aforesaid, shall be and are hereby fully authorized to enter into and execute any such contract or contracts, as fully as the Ohio and Pennsylvania railroad company could have done under the provisions of the act aforesaid.

Assessment of
damages.

SECTION 2. That in all cases of assessment of damages under the act of incorporation of said Pittsburg and Erie railroad company, and the supplements thereto, the respective courts issuing the writ or precept therefor, shall therein direct and require (unless otherwise agreed upon by the parties) the sheriff to summon five good, free and lawful men, disinterested freeholders from some adjoining county, in or through which said road is not surveyed or located, in lieu of those now authorized to be selected; and that the courts of common pleas shall have exclusive jurisdiction in such assessment of damages, and the proceedings shall conform in other respects to the requirements of the general railroad law, approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine: *Provided*, That this act shall not be construed so as to authorize the said Pittsburg and Erie railroad company to make any contract other than such as may be necessary to form a direct communication between the cities of Pittsburg and Erie, by means of the main trunk line.

Provided

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 537.

AN ACT

Relative to the Shermansville and Andover Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Shermansville and Andover plank road company may put*

up gates and collect tolls on their road, so soon as three and one-half miles of said road is finished, and in apportioning the rates of toll thereon, so much of the road as is necessarily laid with a double track in crossing the Pymatuning swamp, may be computed at double the actual distance; and it shall be lawful for said company to sue for and collect any stock otherwise legally subscribed, although no portion of it was paid at the time of subscribing or since: *Provided*, That before any such payment is enforced, the whole line of said plank road shall be put under contract or in process of construction.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 538.

AN ACT

To empower the Trustees of Beaver Academy to occupy certain lots in the town of Beaver.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the trustees of the Beaver academy are hereby authorized to take possession, use and occupy the reserved lots or public square in the south-east corner of the borough of Beaver, county of Beaver, for the purpose of locating thereon and erecting new academy buildings; and the said lots are hereby dedicated to the trustees of said academy, for the uses and trusts herein specified: Provided, That the same be done with the consent of the burgess and councilmen of said borough.*

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 539.

A FURTHER SUPPLEMENT

To the act, entitled "An Act to authorize the Governor to incorporate the Erie Canal Company."

Repeal.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the second proviso in the eleventh section of an act, entitled "An Act to authorize the governor to incorporate the Erie canal company," passed the seventh day of March, one thousand eight hundred and forty-three, which provides for the resumption by the state of the Beaver division of said company's canal, from New Castle to the Ohio river, be and the same is hereby repealed.

Repeal.

SECTION 2. That the fourteenth section of the act aforesaid, which provides for the resumption by the commonwealth of the line of canal from the Ohio river, near the mouth of the Big Beaver, to lake Erie, at Erie. be and the same is hereby repealed.

When this act takes effect

SECTION 3. That this act shall not take effect until the said Erie canal company shall have delivered to the auditor general, to be filed in his office, a resolution passed by said company and certified under their corporate seal, agreeing to pay all damages or debts which have not been already paid by the commonwealth or said company, and which have been or may be ascertained to be due, on account of the construction of the works of said company, while in possession of the commonwealth; and the said company shall be as fully liable as if the same had been contracted by said company.

Erie canal company may issue bonds, &c.

SECTION 4. That the Erie canal company be and is hereby authorized and empowered to issue bonds, redeemable in thirty years, with coupons attached, bearing an interest of six per centum per annum, for the purpose of redeeming the present indebtedness of said company, and to mortgage the canal for the payment thereof: *Provided*, That no bond shall be issued of a less denomination than one hundred dollars.

Proviso

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 540.

AN ACT

Relative to investments by Building Associations.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* in investments by building associations in loans to members thereof, the premium given for preference or priority of loan shall not be deemed usurious.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 541.

AN ACT

Relating to the Redemption of Unseated Lands which may have been sold for taxes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* hereafter when a purchaser at a treasurer's sale of unseated lands, shall have paid taxes on the land purchased by him, which have accrued since the sale and before the time allowed to redeem has expired, the owner or person redeeming shall pay, together with the redemption money, to the treasurer, all taxes which may have been paid by the purchaser, and the treasurer, shall pay the same to the purchaser with said redemption money, when called for.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 542.

A N A C T

To regulate the price of supporting the Prisoners in the county jail in Allegheny

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act it shall be the duty of the court of quarter sessions of Allegheny county, to fix and settle upon the amount that shall be allowed and paid by the county commissioners to the sheriff, for the per diem support of each prisoner who has or may be in the said jail, and said allowance shall be paid by the said commissioners, and such order shall be made from time to time, by said court, as they may deem prudent and right.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK

No. 543.

A S U P P L E M E N T

To an act to authorize the Consolidation of the York and Maryland Line Railroad Company, the York and Cumberland Railroad Company, and the Susquehanna Railroad Company with each other, and with the Baltimore and Susquehanna Railroad Company of the State of Maryland, into one company, to be called the Northern Central Railroad Company, approved the third day of May, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it is the true intent and meaning of the act approved the third day of May, one thousand eight hundred and fifty-four, granting corporate powers to the Northern Central railroad, that said company shall be subject to the provisions of the eighteenth section of the act of nineteenth of February, one thousand*

eight hundred and forty-nine, entitled "An Act regulating railroad companies."

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 544.

AN ACT

To provide for the sale of the Main Line of the Public Works.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be the duty of the governor, within ten days after approving this act, to cause to be advertised daily, until the day of sale, in one or more newspapers of extensive circulation, published in the cities of Philadelphia, Pittsburg, Washington, Boston, New York, and in the borough of Harrisburg, a notice that the main line of the public works will be exposed to public sale, at the Merchants' Exchange, or some other public place in the city of Philadelphia, on a day to be selected by him, not less than sixty or more than ninety days after the passage of this act.

Governor to fix time and place of sale and give notice.

SECTION 2. That at the time and place so selected, it shall be the duty of the governor to have offered at public sale, the whole main line of public works, to wit: the Philadelphia and Columbia railroad; the canal from Columbia to the Junction at Duncan's island; the Juniata canal from thence to Hollidaysburg; the Allegheny Portage railroad, including the new road to avoid the inclined planes; and the canal from Johnstown to Pittsburg, with all the property thereunto appertaining.

The Main Line of Public Works to be offered at public sale

SECTION 3. That it shall be lawful for any person or persons, or railroad or canal company now incorporated or which may hereafter be incorporated by and under the laws of this commonwealth, with the consent of the stockholders thereof, at a meeting duly convened for the purpose, to become the purchasers of the said main line of public works, for any sum not less than seven millions five hundred thousands of dollars; and if necessary, said company or companies may increase their capital stock or borrow money and issue their bonds to any amount not exceeding twenty-five per centum above the amount of the purchase money, and in such manner as the stockholders thereof, at any meeting regularly called for that purpose, may determine, any thing in the charter or by-laws of such com-

Who may become purchasers.

Minimum price

Company purchasing may increase capital stock or borrow money.

pany to the contrary notwithstanding. And should any association of individuals, not less than thirteen in number, become the purchasers of the said main line, on the terms prescribed by this act, the governor is hereby authorized to grant them letters patent, incorporating the same into a body corporate, in deed and in law, under the name, style and title of the Philadelphia and Pittsburg railroad and canal company, with all the privileges and subject to all the restrictions of an act regulating railroad companies, approved the nineteenth day of February, one thousand eight hundred and forty-nine, and the supplements thereto, so far as is consistent with the provisions of this act: *Provided*, That no bid shall be accepted until the bidder shall have deposited in the hands of the governor, or some person duly authorized by him to receive it, the sum of one hundred thousand dollars in cash or state bonds, which shall be forfeited to the use of the commonwealth if the terms of sale are not complied with: *And provided further*, That if the Pennsylvania railroad company become the purchaser of said main line, they shall pay, in addition to the purchase money, the sum of one million of dollars, to be paid and secured as is provided in reference to the other purchase money, with like interest until paid; and thereupon, after the transfer to them of the said works, pursuant to this act, so much of the act incorporating said company as requires the payment of a tax upon tonnage passing over their road, and over the road of the Harrisburg, Portsmouth, Mount Joy and Lancaster railroad, shall become inoperative, null and void; and the right of the commonwealth to enter upon, resume and purchase the railroad of said company, as provided for in their charter, shall thereafter cease and determine.

Letters patent.

Style

Subject to general railroad law.

\$100,000 to be paid before accepting bid.

Purchase by Penna. railroad company regulated.

Tonnage tax then to cease.

Payment of purchase money regulated.

SECTION 4. I. That if said main line of the public works shall be sold under the provisions of this act, for less than nine millions of dollars, the purchaser shall, within ninety days thereafter, pay ten per centum of the purchase money, inclusive of the cash or loans aforesaid, at the bidding, and the residue thereof in ten equal annual instalments, with interest thereon, as hereinafter provided.

II. That if the said main line be sold for nine millions dollars, then the purchaser shall not be required to make any payments, except the interest on the purchase money, until after the expiration of five years, and then shall pay the purchase money in ten equal annual instalments.

III. That if the said main line be sold for nine millions five hundred thousand dollars, then the purchaser shall not be required to make any payments, except the interest aforesaid, until after the expiration of ten years, and then shall pay the purchase money in ten equal annual instalments.

IV. That if the said main line be sold for ten millions dollars, then the purchaser shall not be required to make any payments, except the interest aforesaid, until after the expiration of fifteen years, and then shall pay the purchase money in ten equal annual instalments.

V. That if the said main line be sold for ten millions five hundred thousand dollars, or any sum exceeding that amount, then and in that case the purchaser shall not be required to make any payments, except the interest aforesaid, until after the expiration of twenty years, and then shall pay the purchase money in ten equal annual instalments.

SECTION 5. That besides the lien on the said works hereinafter provided for, the purchasers shall, as a further security, deposit in the state treasury, state loans to an amount equal, with the cash payment, to one-fourth of the whole purchase money, which shall be transferred, with the name of the state treasurer expressed on the face, to be in trust under this act, and which shall thereafter not be transferable, except by authority of an act of assembly; or, in lieu thereof, it shall be lawful for any corporation incorporated under the laws of this state, to mortgage its works and improvements, for a like amount, to this commonwealth: *Provided*, The governor shall be satisfied that such works and improvements will furnish adequate security therefor.

Deposit to be made by purchasers.

SECTION 6. That payments of the principal of said purchase money shall be made in certificates of loan of the commonwealth of Pennsylvania at par, and of the interest in cash semi-annually, from the date of the transfer, at the rate of five per centum per annum upon any balance remaining due; and said purchase money shall be secured to the commonwealth by the bonds of the purchasers, which, without any other record, shall be the first lien on the works and improvements purchased.

Payment of principal and interest regulated.

SECTION 7. That said purchasers may at any time before the maturity of said bonds, and after giving to the commissioners of the sinking fund at least ninety days' notice of their intention so to do, pay off and satisfy the principal of said bonds, or of any one or more of them, with interest, until so paid, at the prescribed rate, and shall then be entitled to receive back or be relieved from a proportionate amount of the additional security hereinbefore provided for; and if at any time any one or more of said bonds, or the interest due on the same, shall be and remain unpaid for the space of ninety days, from and after the maturity thereof or the falling due of such interest, then, and in that case, the commonwealth shall have full power to re-enter upon and take possession of the property so transferred; and if the legislature shall not be in session at the time of such default, the governor shall have full power to appoint one or more persons to take possession thereof in the name of the commonwealth; and all payments made, and the certificates of state loans as aforesaid, deposited with the state treasurer, shall be forfeited to the commonwealth, and shall sue out the mortgage, if any be taken, against any other works of the purchasing company, by *scire facias*, in the supreme court, wheresoever sitting, under which all the mortgaged works shall be sold, with the rights and franchises of the company, and conveyed to the purchasers by the treasurer of the commonwealth without charge for poundage, subject to any liens thereon at the time when mortgage, which shall remain unaffected thereby.

Bonds may be paid before maturity.

Penalty for neglecting to pay bonds or interest when due.

SECTION 8. That as soon as the purchasers shall have made the payments, and delivered the bonds in number and for amounts equal to and falling due at the time provided for the payment of the respective instalments, and shall have also given the additional security herein provided for, then the secretary of the commonwealth shall transfer, under the great seal of the state, to such purchasers, their successors and assigns, upon such terms and conditions as are mentioned in this act, the whole main line of public works between Philadelphia and Pittsburg, consisting of the Philadelphia and Columbia railroad, the Allegheny Portage railroad, including the new road to

Transfer to be made to purchasers of main line.

avoid the inclined planes, the Eastern division of the Pennsylvania canal from Columbia to the Junction, the Juniata division of the Pennsylvania canal from the Junction to the eastern terminus of the Allegheny Portage railroad, and the Western division of the Pennsylvania canal, from the western terminus of the Allegheny Portage railroad to Pittsburg, and including also the bridge over the Susquehanna at Duncan's island, together with all the surplus water power of said canals, and all the reservoirs, machinery, locomotives, cars, trucks, stationary engines, workshops, water stations, toll houses, offices, stock and materials, whatsoever and wheresoever, thereunto belonging, or held for the use of the same, and together with all the right, title, interest, claim and demand of the commonwealth of Pennsylvania, to all property, real, personal and mixed, belonging to the same: *Provided*, That the purchasers of said main line shall take the same and its appurtenances subject to all contracts and arrangements heretofore made by act of assembly or otherwise, for and in respect to the use of said works, shall carry out the same with all persons interested therein, in the same manner as the commonwealth or its agents are now required by law.

Proviso.

Notice to superintendents, collectors, &c.

SECTION 9. That as soon as the purchasers shall have given notice to the governor of their readiness to take possession of said works, he shall cause notice thereof to be given to all superintendents, toll collectors, officers and agents of the commonwealth employed on or about said railroads and canals, who shall continue, nevertheless, to discharge the duties of their said offices or employment until removed or re-appointed; and the official bonds of said officers and agents shall enure to the use of said purchasers as to all moneys received or acts done by them on account of the works, subsequent to the time when said purchasers shall take possession as aforesaid.

Purchasers of main line may purchase or lease Harrisburg and Lancaster railroad, &c.

SECTION 10. That it shall be lawful for the purchasers, if they deem it expedient, either to purchase or lease, hold and use the railroads of the Harrisburg, Portsmouth, Mount Joy and Lancaster railroad company, or to construct a railroad by the most eligible route, from the western terminus of the Harrisburg, Portsmouth, Mount Joy and Lancaster railroad at Harrisburg to the city of Pittsburg, and to connect with the North Western railroad, and to straighten and improve the said Philadelphia and Columbia railroad; and it shall be further lawful for them to alter, enlarge and deepen the canal portion of said main line, and to make such additional locks and dams, or to make, in whole or in part, a slackwater navigation, as may be deemed expedient, in such manner, however, as not to obstruct rafting or injure property.

May enlarge canal.

Purchasers to keep main line in good repair.

SECTION 11. That immediately after the said purchaser or purchasers of said main line shall take possession of the same, the said purchaser or purchasers, or assigns, shall be bound ever thereafter, to keep up, in good repair and operating condition, the entire line of said railroads and canals, extending from Philadelphia to Pittsburg, with the necessary toll-houses, water stations, locks, buildings and other appurtenances; and that the said railroads and canals forming said main line, shall be and forever remain a public highway; and the said purchaser or purchasers of the same, shall furnish stationary and locomotive engines, and motive power, for the use of all persons or companies engaged or wishing to engage in the transportation of tonnage or passengers, at such times and in such manner as

To furnish motive power to all desiring it.

not to impair the use and enjoyment of said main line, railroads and canals, by such parties, they paying just and fair charges for the use of said main line or any portion thereof, which shall not exceed the rates of toll charged upon boats, cars, tonnage and passengers, by the commonwealth in their published rates of charges, for the year Anno Domini, eighteen hundred and fifty-three, it being the true intent and meaning of this act, that the said main line, and every part thereof, shall be and forever remain a public highway, and kept open and in repair by the purchaser or purchasers thereof, or assigns, as such, for the use and enjoyment of all persons desiring to use and enjoy the same: *Provided*, That said purchasers shall not be obliged to furnish motive power upon said canals: *And provided*, That said purchasers be authorized to grant, sell and convey, or to lease for a term of years, upon such conditions as may be agreed upon, any part or portion of said canals; and any corporation or association of individuals authorized by this act, to purchase the whole, may purchase or lease such portion, and hold the same subject to the conditions, and entitled to all the privileges contained in this act.

Tolls.

Main line to be a public highway

Proviso.

Proviso

SECTION 12. That it shall be lawful for said purchasers, their successors and assigns, and their officers, engineers, contractors and agents, to enter upon any lands adjoining or in the neighborhood of the works, and dig, take and carry away therefrom, any materials necessary for enlarging, making, altering deepening or improving said works or any portion thereof, or for constructing any railroad, canal, bridge, viaduct, dam or other mechanical structure, which may be required for the said works, or for making a slackwater navigation, or for improving any works already made: *Provided*, That compensation shall be made or secured to the owner or owners of any such lands or materials, as shall be agreed upon between the parties, or as is already provided by law.

May enter upon lands and take materials

Proviso.

SECTION 13. That said purchasers, their successors and assigns, shall have power and authority to own and employ locomotive engines, cars, boats and horses, and to convey passengers and freight of whatsoever description, within reasonable time after presentation, on said works or any portion thereof, and charge and receive tolls and fare for the passage and transportation of persons and freight; and said purchasers, their successors and assigns, shall have the exclusive right to furnish all the motive power on said railroads: *Provided*, That all persons with cars, horses, boats and freight, may pass over said works, they paying toll therefor; and the use of said works shall be governed by such general rules and regulations as said purchasers may, from time to time, ordain, establish and publish; but no person shall, without the consent of such purchasers, be permitted to use horses or other animal power on said railroads, or steam on said canals: *And provided*, That no discrimination in tolls or charges, or in priority of passage through the locks, shall ever be made against any boats or tonnage passing to or from the Susquehanna division of the Pennsylvania canal; and the way tolls on them, for any distance over one hundred miles, shall not exceed per mile twenty-five per centum over and above the tolls charged on the same articles passing over the whole canal, and for any distance less than one hundred miles and over thirty miles, shall not exceed per mile, forty per centum over and above the tolls charged on the same articles passing over the whole canal; nor

Powers and privileges of company.

Proviso.

Proviso.

Proviso.

shall any greater amount be charged upon such boats and tonnage than that now paid the commonwealth: *And provided further*, That the purchasers of the said mail line shall, at all times, keep open the present connection at Columbia, with the Susquehanna and Tide Water canals, and shall, at no time, discriminate against the trade or tonnage passing to and from the said canals, neither shall they, at any time, charge more for boats or other crafts, passing the out-let locks at Columbia, than is now charged for the passage of similar boats or crafts through other out-let locks owned by this commonwealth; and the rates of toll now charged per mile, on way freight, on the Columbia railroad, shall not be increased when the distance exceeds forty miles.

Power of purchasing company enlarged.

SECTION 14. That should any company already incorporated by this commonwealth, become the purchaser of said main line, they shall possess, hold and use the same, under the provisions of their act of incorporation, and any supplements thereto, modified however, so as to embrace all the privileges granted by this act in addition thereto, and all provisions in said original act and any supplements inconsistent with the privileges herein granted, shall be and the same are hereby repealed.

Appropriation of moneys received from sale.

SECTION 15. That all moneys derived from said sale shall be either paid to the sinking fund, and applied to the payment of the state debt, according to the provisions of the act, entitled "An Act to provide a sinking fund and to provide for the gradual and certain extinguishment of the debt of the commonwealth," approved April tenth, one thousand eight hundred and forty-nine, or used in payment of the interest on the loans of the commonwealth.

Further legislation provided for if necessary.

SECTION 16. That should it be ascertained at any time before the payment of the last instalment provided for, that further legislation is required for passing to the purchasers, their successors or assigns, all the title and interest of this commonwealth to said main line or any portion thereof, then the faith of the commonwealth of Pennsylvania is hereby pledged for the enactment of all laws and performance of all acts necessary to carry out the true intent and meaning of this act.

Governor to invite proposals if no sale be made.

SECTION 17. That should no sale take place at the time appointed, as provided for in this act, or should default be made as aforesaid, then it shall be the duty of the governor to invite proposals for the purchase or lease of said works, and submit the same to the legislature at its next session.

South track of Columbia railroad to be re-laid.

SECTION 18. That said purchasers of the main line under the provisions of this act, shall, within twelve months after receiving possession of said works, relay the south track of the Philadelphia and Columbia railroad, where the same has not been laid, with a heavy rail.

Expenses incurred by Governor, how paid.

SECTION 19. That all necessary expenses incurred by the governor, under the provisions of this act, shall be paid out of any money in the treasury not otherwise appropriated, upon warrants drawn by him.

Reservations by the Legislature.

SECTION 20. That the purchaser of said works shall have a perpetual corporate succession; and if the said purchaser shall at any time misuse or abuse any of the privileges granted by this act, the legislature may revoke all and singular the rights and privileges so granted to said company, on a judicial decree of said misuse or abuse being first duly had and obtained; and the legislature hereby reserves the power to resume the fran-

chises hereby granted, and to take for public use the road or roads, canal or canals so purchased or constructed in pursuance of this act: *Provided*, That in resuming said franchises, no injury shall be done to the corporators of said company; and in taking such road or roads, canal or canals for public use, full compensation shall be made to the stockholders.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 545.

AN ACT

To regulate the holding of Courts in the county of Juniata.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the first section of an act passed February thirteenth, one thousand eight hundred and forty-seven, entitled “An Act to regulate the holding of courts in Juniata county,” is hereby repealed; and that so much of the act passed April fourteenth, one thousand eight hundred and thirty-four, entitled “An Act relative to the organization of the courts of justice,” as was repealed by said section, is hereby re-enacted.

First section of act of February 13, 1847, repealed.

Certain part of act of April 14, 1834, re-enacted.

SECTION 2. That from and after the passage of this act, no venire shall issue in the county of Juniata for the summoning of any petit or grand jury for the September term of the several courts of the said county; and so much of any act or acts as is hereby altered or inconsistent herewith, is hereby repealed.

No venire to issue for September term of courts in Juniata county.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 546.

AN ACT

To reduce the expenses of collecting taxes in the counties of Washington and Greene.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the provisions of the first eight sections of an act to reduce the expenses of collecting state and county taxes in the county of Venango; to incorporate the Greenville and Ohio State Line plank road company, and authorizing the appointment of an auctioneer in the county of Lawrence, approved April third, one thousand eight hundred and fifty-one, is hereby extended to the counties of Washington and Greene.

SECTION 2. In lieu of the per centage now received by law by the treasurer of said respective counties, he shall hereafter be entitled to deduct and retain out of the state taxes received by him, the same amount fixed by existing laws, and upon county taxes, such amount as may be fixed by the commissioners of the county at the commencement of the term of office of the county treasurer.

SECTION 3. That all laws requiring the appointment of collectors of state and county taxes are hereby repealed, so far as they relate to the counties of Washington and Greene; and that the several provisions of this act shall not take effect until the first day of February, one thousand eight hundred and fifty-six.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 547.

A SUPPLEMENT

To an act to provide for the appointment of a Reporter of the Supreme Court of the Commonwealth of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the present reporter of the decisions of the supreme court of this commonwealth, is hereby authorized to report and publish such of the opinions of the judges of the said court, authorized to be reported by the act of the eleventh of April, one thousand eight hundred and forty-five, providing for the appointment of a reporter, as shall have been or may be argued during the term for which the said present reporter shall have been appointed or commissioned, or during his continuance in office, and that the same privilege relative to the cases argued during their respective terms, shall be extended to each of his official successors: *Provided*, That no more than two volumes shall be published by the present reporter by virtue of the power conferred by this act, and not more than one of them during the present year.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 548.

A SUPPLEMENT

To an act to regulate the taking up of Lumber, passed March twentieth, one thousand eight hundred and twelve.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That any person or persons who shall take up any boards or lumber of any kind, logs, timber, shingles or shingle-bolts found floating in the river Susquehanna, or either of its branches, shall in lieu of the compensation now by law allowed, be entitled to a reasonable compensation for all necessary services and expenses in taking up and securing the same, and for advertising it in the manner now by law prescribed.

Compensation for taking up lumber regulated.

SECTION 2. That if in case the parties are unable to agree upon the amount to be paid, the lumber, logs, shingles, bolts or timber shall be delivered to the owner, but in such case the owner or owners of the said lumber, or his or their agent having charge of the same, shall be liable to arrest upon a *capias ad respondendum*, from which he shall not be discharged until he or they shall give bail absolute before the justice who shall issue such *capias*, to pay to the person or persons taking up such lumber, logs, shingles, bolts or timber, the judgment that may be recovered, with costs of suit: *Provided*, That if the said owner or owners of such lumber, logs, shingles, bolts or timber, or his

When parties cannot agree, lumber to be given up to owner or agent who may be arrested on a *capias*.

Provided.

or their agent, shall, before the taking away of such lumber, logs, shingles, bolts or timber, have offered to pay to the person or persons taking up the same, in current money, as much as may be recovered in such suit, then and in that case the plaintiff or plaintiffs shall pay all the defendant's necessary costs, which costs shall be paid before the judgment recovered is collected; and it shall not be required, in such case, that the money offered be brought into court.

When and how
lumber may be
sold.

SECTION 3. That if any lumber, logs, shingles, shingle-bolts or timber shall not be claimed within three months from the time it is taken up, it shall and may be lawful for the justice with whom a list thereof is filed, to order the sale of the same by a constable, at public auction, after giving ten days' public notice, by not less than six handbills posted in the most public places in the vicinity of such lumber, logs, shingle-bolts or timber; and out of the proceeds thereof the justice shall pay to the person or persons taking up the same, a reasonable compensation for his services and his necessary costs, which shall be fixed by the justice; and the residue, after the payment of the costs, shall be paid into the county treasurer for the use of the owner or owners of such lumber, et cetera, who shall be entitled to receive the same at any time within two years after the same is paid in, by producing to the treasurer satisfactory proof of his right thereto; and if not claimed within two years, the same shall be forfeited to and for the use of the county.

Proceeds how
disposed of.

Justice to keep a
record.

SECTION 4. That every justice with whom a list of any such lumber, et cetera, shall be lodged, shall keep a record of his proceedings in the case; and he and the constable shall be entitled to the same fees as are now by law provided for similar services.

Act construed.

SECTION 5. That the provisions of this act shall apply to any lumber, logs, shingles, shingle-bolts or timber which may lodge upon any islands in the Susquehanna river or its branches, and be advertised, according to existing laws, by the owner of such island.

Repeal.

Proviso.

SECTION 6. That all laws or parts of laws inconsistent with this act, are hereby repealed: *Provided*, That the provisions of this act shall not apply to logs, timber, shingles or shingle-bolts, or other property taken up by any incorporated boom company in the commonwealth.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 549.

AN ACT

Relating to Electrical Telegraphs and messages sent thereby.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That if any person shall wilfully and maliciously injure or destroy any of the posts, wires or other materials or fixtures employed in the construction and use of any line of electrical telegraph, erected within the limits of this state, or shall wilfully interfere with such structures or materials, or in any way attempt to lead or induce from its uses so erected, or make use of the electric current, or a portion thereof, properly belonging to and in use, or in readiness to be made use of for the purpose of communicating telegraphically from one station of a telegraph company to any other established station or stations on the same or a connecting telegraph line, or who shall aid and assist therein shall, on conviction thereof, be punished for such misdemeanor, by any court of quarter sessions, by a fine not exceeding one hundred dollars, and imprisonment in the county jail not exceeding three months, besides being civilly liable to the extent of the damage done or arising therefrom: *Provided,* The right of way has been secured by the company owning the line of telegraph by purchase or otherwise.

Penalty for injuries to posts, wires, &c.

SECTION 2. That it shall be the duty of all owners, superintendents and operators, to preserve the originals of all messages sent from such office other than those intended for publication, for at least three years, and to produce the same in evidence whensoever duly subpoenaed to do so by the individual or individuals, or counsel of the individual or individuals sending or receiving a copy of such messages, in any court of justice, or before any committee of the legislature, and where the same shall be decided by such court or committee to be material to any issue or matter there to be tried or determined, under the like penalty as in other cases: *Provided,* That the confidential communications between attorney and client, so transmitted, shall in no case be divulged.

Original messages to be preserved and produced when legally required.

Proviso.

SECTION 3. That it shall be a misdemeanor for any superintendent or operator in any electrical telegraph office knowingly to send by telegraph, any false or forged message as from such office, or as from any other person, or for any other person or persons to furnish or conspire to furnish to such operator to be so sent, any such message, knowing the same to be false or forged, with intent to deceive and injure or defraud any individual or corporation, and besides answering civilly for the injury occasioned thereby, such offender or offenders, on conviction of the offence in any court of quarter sessions, shall be fined by said court not exceeding five hundred dollars, and suffer imprisonment in the county jail not exceeding one year.

Penalty for sending false messages with intent to deceive.

SECTION 4. That so much of the fifteenth section of an act approved the twenty-ninth day of March, one thousand eight

Repeal.

hundred and forty-nine, entitled "An Act to incorporate the Philadelphia and Wilkesbarre telegraph company," as conflicts with this enactment, be and the same is hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 550.

AN ACT

Relating to Judgments and Executions in Foreign Attachments.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That in any action of foreign attachment wherein the plaintiff has or shall hereafter have entered judgment by default, it shall be lawful for the plaintiff to enter a rule for the prothonotary to assess the damages, which the prothonotary may do upon evidence produced to him, or upon the affidavit of the plaintiff or some other person cognizant of the transaction; and in case of filing such affidavit, notice of such rule, with a brief statement of the claim made, shall be published as prescribed in the forty-ninth section of the act relating to the commencement of actions; and upon proof of such publication made and filed, final judgment may be entered.

Prothonotaries may assess damages on judgments in foreign attachments

SECTION 2. That in any such case of foreign attachment and final judgment entered, it shall be lawful for the plaintiff, at his option, instead of entering the security as required by the sixty-first section of said act, to leave the property attached remain unsold for a year and day after such judgment, and thereafter to proceed to make sale by execution, with the like effect as if such security had been entered.

Execution may be issued.

SECTION 3. That from and after the passage of this act all writs of foreign attachment against defendants who are mortgagees and judgment creditors, whose debtors by judgment or mortgage are non-residents and cannot be personally served with notice or process as garnishees, shall and may be executed by attaching or levying the same on the lands, tenements and hereditaments upon which the said judgments or mortgages are liens or incumbrances, in the same manner as such writs may now by law be executed upon the lands and tenements of the defendants therein; and such writs after such execution, shall

How writs of foreign attachment may be served in certain cases.

bind the rights and interests of such mortgagees or judgment creditors, and shall operate as a stay of proceedings upon said judgments and mortgages until said attachments are dissolved or otherwise legally disposed of; and upon a final recovery by the plaintiff in such attachment, it shall be lawful for the courts having jurisdiction, to subrogate the plaintiffs in said attachments to the rights of the said mortgagees or judgment creditors, until they shall have received satisfaction of their respective debts: *Provided*, That before such subrogation shall be made, Proviso the plaintiff in such attachment shall be required to give the same security that is now by law required to be given before execution is issued upon judgments in foreign attachments.

SECTION 4. That after the execution of any writ of foreign attachment upon the lands and tenements of the defendant, or upon lands held by the lien of any judgment or mortgage owned by the defendant, as provided in the third section of this act, it shall be lawful for any court, if in session, or any judge in vacation, upon petition and affidavit in the usual form of the plaintiff, or some one in his behalf, to award and allow a writ of estrepement, to stay waste upon all such lands and tenements as in other cases. Writs of estrepement, how allowed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 551.

A FURTHER SUPPLEMENT

To an act to incorporate the Dauphin and Susquehanna Coal Company. approved the fifth day of April, one thousand eight hundred and twenty-six.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That for the payment and extinguishment of the seven per centum mortgage bonds, dated June, one thousand eight hundred and fifty-three, and other liabilities and indebtedness, and for the general purposes of the Dauphin and Susquehanna coal company, the said company is hereby authorized to create and issue certificates for a preferred stock, not to exceed, in amount, the sum of fifty thousand shares; each share shall represent and entitle the holder thereof to an interest of fifty dollars in the capital stock of said company; and said company may exchange, sell, or otherwise dispose of the same, at such prices

and in such manner as they may deem expedient; and the holders of said preferred stock shall be entitled to dividends from the net earnings of the company, to the extent of seven per centum per annum, before any dividend shall be paid upon the common stock of the company; and also to such higher rate of dividend as may at any time be paid upon said common stock: *Provided*, That two-thirds in number and value of the stockholders of said company, shall first give their assent thereunto.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-five. JAS. POLLOCK.

No. 552.

AN ACT

Relative to the Enon Valley Coal Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Bevan and others, who shall have associated or may hereafter associate themselves together as owners of coal or other mineral lands in the county of Beaver, by the name of the Enon Valley coal company, under the provisions of the act, entitled "An Act to encourage manufacturing operations in the commonwealth," passed the seventh day of April, Anno Domini one thousand eight hundred and forty-nine, be and they are hereby authorized, in addition to the privileges conferred thereby, and by the supplements thereto, to engage in the manufacture of naphtha, paraffine, or other oil, from cannel or bituminous coal.

SECTION 2. That the said Enon Valley coal company be and they are hereby authorized to construct a railroad or railroads from any coal or other mineral lands owned, purchased or held by them, so as to form a connection with the Ohio and Pennsylvania railroad company, under all the provisions and restrictions of an act, entitled "An Act regulating railroad companies," passed the nineteenth February, Anno Domini one thousand eight hundred and forty-nine: *Provided*, That no such road shall exceed six miles in length.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighth day of February, Anno Domini one thousand eight hundred and fifty-five. JAS. POLLOCK.

Corporators

Style

Business.

May make a railroad.

No. 553.

AN ACT

To incorporate the Point Breeze Park Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Corporators
 Joseph M. Thomas, Alexander E. Harvey, James Harper, Garriek Mallory, Charles Harlan, Charles F. Lex, H. M. Phillips, William W. Watt, William Warder, William Divine, junior, Jacob Dock, James Bond, M. D. Wharton Fisher, James Crissey, George Cadwalader, E. R. Jones, S. M. Leaming, John Lindsay, William D. Lewis, junior, S. Kilpatrick, Wetherill Lee, J. E. Neal, R. Van Syckle, Thomas Goodwin, Thomas Irwin, Moses Thomas, William Goodwin, their associates and successors, be and they are hereby created a body politic and corporate, by Style.
 the name, style and title of the Point Breeze Park association, and by that name shall sue and be sued, and shall generally possess the powers and privileges of a corporation.

SECTION 2. That the capital of said company shall be fifty Capital stock
 thousand dollars, divided into shares of two hundred and fifty dollars each.

SECTION 3. That the members of said company shall have By-laws
 the right, at their first or any subsequent meeting, to establish such by-laws for the government of the company as they may deem expedient, which by-laws shall not be inconsistent with the constitution of the United States, this state or the provisions of this act.

SECTION 4. That at all meetings or elections held by said Votes
 company, the scale of voting shall be as follows: each share not exceeding four shall entitle a member to one vote per share; every two shares above four and not exceeding ten shall entitle a member to one vote; every four shares above ten and not exceeding thirty shall entitle a member to one vote; but no number of shares above thirty shall entitle any member to vote for the excess.

SECTION 5. That the members shall from time to time de- Number of direc-
tors and officers
 termine the number of their directors and officers, and shall clothe them with such power not inconsistent with the provisions of this act, as they shall deem expedient.

SECTION 6. That the object of said company shall be to pro- Objects
 vide, keep and maintain in the city of Philadelphia, grounds and other real and personal estate of a net yearly value not exceeding three thousand dollars, suitable for gymnastic and other healthful and amusing exercises and purposes, and for agricultural, floral or mechanical exhibitions; but nothing herein contained shall be so construed as to permit any thing that is unlawful being done on the premises: *Provided*, That said company shall hold lands in rural districts not exceeding in the whole one hundred acres.

SECTION 7. That so much of the profits of said company as Dividends
 shall be deemed expedient by the directors, shall from time to

time be divided amongst the stockholders, but no dividend shall be declared which will impair the capital of the company.

Election of officers. SECTION 8. That the president and directors shall be elected by ballot by the members of the said company, at such time and place as shall be agreed upon by a majority of the corporators named in the first section of this act, after giving at least one week's public notice thereof, in at least one newspaper published in the city of Philadelphia; and the president and directors who shall be elected at that time, shall hold their offices until the first Monday in May next, or until their successors shall have been chosen; and on the said first Monday in May next, and on the same day in every year thereafter, there shall be an election for president and directors of the company, who shall continue in office for one year, or until their successors shall have been chosen; said election to be held at such time and place as the by-laws shall determine.

Annual meeting. SECTION 9. That an annual meeting of members shall be held on the last Monday in April of each year, notice of which shall be sent by the secretary to each member; but special meetings of the members shall be called by the board of directors at any time, and shall likewise be called by the president at the request in writing of fifteen members; one week's notice of such meetings shall be previously given by the secretary as aforesaid.

Membership. SECTION 10. That every original subscriber shall be a member, but no transfer of stock shall confer the right of membership upon the transferee, or entitle him to vote at any meeting or election of said company, except such transfer shall be approved of by the board of directors in such manner as the by-laws shall provide.

Reservation. SECTION 11. That the legislature reserves the right to alter or revoke this charter whenever its continuance shall become injurious to the interests of the public, in such manner, however, as no injustice shall be done the members.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The eighth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 554.

AN ACT

To extend the time for re-laying the track of the Chambersburg, Greencastle and Hagerstown railroad.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the time for re-laying the Chambersburg, Greencastle and Hagerstown railroad, be and the same is hereby extended till the first day of December, Anno Domini one thousand eight hundred and fifty-five.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 555.

AN ACT

For the erection of a new county out of part of Union, to be called Snyder, and relative to the Seat of Justice of Union county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all that territory now in Union county lying south of the line commencing at the Northumberland bridge; thence by the New Berlin mail route to Penns creek, at a point about one-fourth of a mile above Mowrer's mill, where said creek turns suddenly towards the south; thence across Penns creek along the southern bank to its nearest contact with the summit of Jack's mountain, and thence along the summit of Jack's mountain to the western line of Union county, shall be and the same is hereby erected into a new county to be called Snyder, on the conditions hereinafter expressed. Territory embraced in Snyder co.

SECTION 2. That William G. Herrold, James Madden, Thomas Bower, James McCreight and Isaac D. Boyer are hereby appointed commissioners, who, or a majority of whom, shall before the fourth day of July next, properly ascertain and mark the division line between the counties of Union and Snyder, and also between the election districts of Penns, Middlecreek, Union and Jackson townships, as expressed in this act; and also to make three plots or drafts of said division lines, one copy of which they shall forward to the secretary of the commonwealth, and one to the register and recorder of Union and Snyder counties respectively; and the said commissioners shall receive the sum of one dollar and fifty cents for every day necessarily engaged in running said division line and in making out the drafts of the same; and for their compensation, and for all necessary aid employed by them in running said line, the commissioners of Union county shall forthwith pay, by orders on the county treasury. Commissioners.
Duties.

Public buildings. SECTION 3. That suitable grounds and buildings and a jail for county purposes for said county of Snyder, and also suitable grounds, buildings and a jail for said county of Union, to be approved by a majority of the court and grand jurors of the respective counties, when prepared, shall be secured to the said counties without any cost or tax whatever being imposed upon the taxables of said counties for such expenditures.

Subscriptions for public buildings. SECTION 4. That to secure the conditions expressed in the third section of this act, there be pledged in trust to the judges of the courts of Union county, on or before the first day of May next, one or more responsible, bona fide subscriptions of not less than ten thousand dollars, from within the limits of each county respectively, for the purchase of grounds and the erection of buildings as aforesaid for the counties of Union and Snyder, said buildings to be of stone or brick, with fire proof roofs and fire proof rooms for records; and that said subscriptions so pledged shall be approved by said judges and published under their directions, in the second week in May next, with the names of the sites for which they are pledged, in one newspaper in Union county and one newspaper in Snyder county, the second week in the month of May next; and that upon such notice being given the subscriptions aforesaid shall be transferred to the building committees provided for such subscriptions respectively, and the grounds necessary, with the proper county buildings, shall be finished and conveyed in fee simple to the proper authorities of the respective counties on or before the first day of January, one thousand eight hundred and fifty-seven.

To be approved and published.

Building committees. SECTION 5. That upon the completion of the said pledges in trust for the erection of buildings, the subscribers to such pledges respectively, on due notice given, shall elect three persons in each of the counties of Union and Snyder respectively, who shall constitute the building committees, as provided for in the fourth section of this act, each subscriber being entitled to one vote for every ten dollars subscribed by him or them towards the said building fund.

Sites for public buildings. SECTION 6. That the subscribers towards the said building fund shall, in the manner prescribed in the foregoing section, elect three persons, whose duty it shall be to establish the site for the public buildings to be erected in the said counties of Union and Snyder respectively, subject to the provisions of the ninth section of this act.

Courts, offices and election of officers. SECTION 7. That upon securing the subscriptions specified in the fourth section of this act, the inhabitants of the said county of Snyder shall, after the first day of December, one thousand eight hundred and fifty-five, be entitled to, and at all times thereafter have, all and singular, the courts, jurisdictions, offices, rights and privileges to which the inhabitants of the county of Union are now entitled by the constitution and laws of this commonwealth, and that the offices hereby provided for said county shall be filled by the qualified voters at the general election in October next.

Terms of county commissioners to be determined by lot. SECTION 8. That the county commissioners to be elected under the provisions of this act for the said county of Snyder shall, at their first meeting, decide by lot the term each to serve, viz: one for one year, and the others for two and three years respectively; and should more than one commissioner be elected for the county of Union, their respective terms shall be decided as hereinbefore provided for the said county of Snyder; and the

terms of the county auditors in the said counties respectively shall be decided in the same manner as hereinbefore provided for in the case of county commissioners.

SECTION 9. That the persons holding offices in the county of Union, as heretofore organized, whose residence may fall within the limits of the said county of Union, shall continue to hold their respective offices until the terms for which they were elected shall have expired; and all the vacancies in said county offices in the county of Union, whether by resignation or otherwise, shall be filled at the general election on the second Tuesday of October next, and annually thereafter, according to the terms of the general laws regulating the respective offices. Officers of Union county.

SECTION 10. That the place for the sites of jails and other buildings for the counties of Union and Snyder, be decided as follows: At the general election in October next, the voters of the several election districts in the counties aforesaid, may vote written or printed tickets, labelled on the outside county seat, and in the inside containing the name of the town, township or borough which they elect as the seat of justice; and the officers of election shall receive, return, and compute the names of the places so voted for, as names of persons voted for are received and returned; and the place in each county having the greatest number of votes, shall be the seat of justice for such county: *Provided*, That no vote shall be returned for any town, township or borough which shall not have furnished as hereinbefore stated, an approved and guaranteed subscription of not less than ten thousand dollars for county purposes as aforesaid. Mode of deciding sites of public buildings in Union and Snyder counties

SECTION 11. That the jail in New Berlin be used by the counties of Union and Snyder in common by the said counties respectively, until the new jail or jails is or are built; the expenses attendant upon such joint use being borne by said counties respectively, in proportion to the number of persons confined from each; and the time occupied by the counties respectively, and the cost of conveying and maintaining prisoners in the Eastern penitentiary, shall be defrayed by the county from whose territory the prisoner or prisoners are or were sent. Proviso

SECTION 12. That those portions of the townships of Union and Jackson, lying south of Penns creek, be hereafter attached to the election districts of Penns and Middlecreek, in Snyder county, and that the eastern boundary line of Middlecreek township, continued northwardly to Penns creek, be the division line between said districts of Middlecreek and Penns. Use of jail of Union county

SECTION 13. That after the next general election, the return judges of the several election districts of the counties of Union and Snyder respectively, shall meet at the hour appointed by law, in the places for holding the several courts of the respective counties. Cost of sending prisoners to penitentiary.

SECTION 14. That the several township officers in Union county, whose residences shall fall within Snyder county, shall continue to hold their respective offices in the name, and under the jurisdiction of Snyder county, as regulated by general laws. Certain election districts regulated.

SECTION 15. That the commissioners of the county of Union, and also the commissioners of the county of Snyder, elected under the provisions of this act, shall respectively procure at the towns or places which may be determined upon as the respective county seats of said counties, in the manner hereinbefore provided for, suitable buildings and accommodations for the receiving and safe keeping of the public records; and also for Meeting of return judges.

Township officers

Temporary depositories for public records.

the holding of the courts in the same, until the public buildings hereinbefore provided for, shall have been completed and accepted as aforesaid.

Jurisdiction of
courts.

SECTION 16. That the several courts of Union county shall continue to exercise jurisdiction within its former limits, until the first day of December, one thousand eight hundred and fifty-five.

Proceedings of
courts regulated.

SECTION 17. That the certioraries directed to, and appeals from the judgment of any justice of the peace of said county of Snyder, and all criminal prosecutions which may originate in the said county, before the test day hereinafter mentioned, shall be proceeded in as heretofore, in the courts of common pleas and quarter sessions of the county of Union; and all process to issue from the courts of the county of Snyder, returnable to the first term in said county, shall bear test on the twenty-ninth day of September, one thousand eight hundred fifty-five.

Lien of mort-
gages.

SECTION 18. That in all cases where any mortgages of any lands or tenements, situate within the said county of Snyder, shall have been recorded in the recorder's office of the county of Union, prior to the first day of December, one thousand eight hundred and fifty-five, the lien of said mortgage shall remain the same as if this act had not been passed: *Provided*, That all process for the recovering of the same, sued forth after the said first day of December, one thousand eight hundred and fifty-five, shall issue from the proper courts of the county of Snyder.

Proviso.

Lien of judg-
ments.

SECTION 19. That the lien of all judgments entered in the court of common pleas of the county of Union, prior to the first day of December, Anno Domini one thousand eight hundred and fifty-five, shall be and remain as if this act had not been passed: *Provided*, That to continue the lien of any such judgment, on any lands or tenements situate in the county of Snyder, beyond the period of five years from the date of such entry, a transcript of the same shall be filed in the prothonotary's office of the said county of Snyder, and *scire facias* to revive the same, as in other cases, issued out of the court of common pleas of said county of Snyder; and *testatum* executions may issue to and from the said counties respectively, as is provided by the laws of this commonwealth.

Proviso.

Proceedings in
pending suits
regulated.

SECTION 20. That all suits and cases which shall be pending and undetermined in the several courts of Union county, on the first day of December, one thousand eight hundred and fifty-five, where the defendant or defendants in such suit or suits shall, at the time, be resident in the county of Snyder, shall be transferred to the respective courts of Snyder county, and shall be considered as pending in said courts, and shall be proceeded on in like manner as if the same had been originally commenced in said courts, except that the fees on the same, due to the officers of Union county, shall be paid to them, when recovered, by the prothonotary or sheriff of Snyder county; and the prothonotary of Union county shall, on or before the first day of December, one thousand eight hundred and fifty-five, purchase dockets and copy therein all the docket entries respecting the said suits and cases to be transferred as aforesaid, and shall, on or before the first day of December, one thousand eight hundred and fifty-five, have the said dockets, together with the records and declarations and other papers respecting the said suits or cases, ready to be delivered to the prothonotary of Sny-

der county, the expenses of said dockets and copying, to be paid by the said county of Snyder, on warrants to be drawn by the commissioners of Snyder county on the treasurer thereof.

SECTION 21. That all taxes and militia fines levied or assessed within the said new county of Snyder and the county of Union, at any time prior to the first day of December, one thousand eight hundred and fifty-five, shall be collected and recovered as if this act had not been passed, and that such taxes shall be divided equally between the counties aforesaid, after defraying all expenses of and for the county of Union, incurred before the first day of December, one thousand eight hundred and fifty-five.

Assessed taxes and militia fines to be recovered and divided.

SECTION 22. That the sheriff, treasurer, prothonotary and all such officers as are by law required to give security for the faithful discharge of the duties of the respective offices, who shall hereafter be appointed or elected to the said county of Snyder, before they or any of them shall enter on the execution thereof, shall give sufficient security, in the same manner and form, and for the same trusts and purposes, as such officers, for the time being, are obliged to give in the county of Union.

Bonds of public officers.

SECTION 23. That the sheriff, coroner and other officers of the county of Union, shall continue to exercise the duties of their respective offices as heretofore, within Snyder county, until the first day of December, one thousand eight hundred and fifty-five; and the persons who shall be elected associate judges of the county of Snyder, shall take and subscribe the requisite oaths and affirmations of office before the prothonotary of the court of common pleas of Union county, who shall file a record of the same in the office of the prothonotary of the court of common pleas of the county of Snyder, who shall have been elected under the provisions of this act.

Certain officers of Union county to act for Snyder, until election of officers for said Snyder county.

SECTION 24. That the said county of Snyder shall form a part of the same congressional, senatorial and representative districts of which the county of Union now composes a part.

Attached to present congressional and other districts.

SECTION 25. That the judges of the supreme court shall have like powers, jurisdiction and authorities within the said county of Snyder, as by law they are vested with and entitled to have and exercise in other counties in this state; and the said county is hereby annexed to the Northern district of the supreme court.

Jurisdiction of Supreme court.

SECTION 26. That the regular term of the several courts of Union county shall commence at the time now fixed by law and continue one week.

Commencement of court.

SECTION 27. That the county of Snyder shall be annexed to and compose a part of the same judicial district with Union and Mifflin counties; and the several courts in the said county of Snyder shall be held on the first Monday next succeeding the first Monday of the several regular terms of the courts of Union county, as now fixed by law, in each year, and shall continue one week, if necessary, the first court commencing on the fourth Monday of December, in the year one thousand eight hundred and fifty-five.

Judicial district.

Time of holding courts.

SECTION 28. That all provisions necessary for carrying out the true intent and meaning of this act, are hereby declared to be in full force; and all provisions of any law inconsistent herewith, are hereby repealed.

General provisions.

SECTION 29. That it shall and may be lawful for the qualified voters who have resided in Union county for at least six months immediately preceding the next spring election, to be held in said county on the third Friday of March next, Anno Domini

Time and manner of voting on question of dividing Union county and erecting Snyder county.

one thousand eight hundred and fifty-five, to vote at such spring election upon the question of the division of said county, in the manner following, to wit: Those in favor of a division of said county shall vote written or printed tickets, labelled on the outside, "Division," and containing on the inside thereof, the words, "For division," and those who are opposed to a division of said county, shall deposit tickets labelled as aforesaid, and containing on the inside thereof, the words, "Against division;" the said tickets shall be deposited in a box which shall be provided for that purpose, at each and every of the election polls of said county; the said election shall be held and conducted by the same officers elected to hold the different township or borough elections; and the returns of said elections shall be made in the same manner by the return judges, as in the case of the election of members of the assembly; the judges of the several election districts shall meet at the court house in New Berlin, in said county, on the first Monday after said election, and shall carefully add up the returns and make out two copies thereof, one to the clerk of the court of common pleas of said county and one to the secretary of the commonwealth, which copy shall be certified by the clerk aforesaid to the said secretary of this commonwealth; and if, on the meeting of the return judges, it shall appear that a majority of the votes have been given in favor of a division of said county, then this act shall be and remain in full force and effect; but if it shall appear that a majority of the votes have been given against a division of said county, then this act shall be null and void.

Duty of judges
and inspectors
conducting said
election.

SECTION 30. It shall be the duty of the judges and inspectors conducting the election authorized to be held by virtue of this act, to cause the letter D to be legibly and distinctly set opposite the name of every citizen who shall vote on the question of division as aforesaid, on the poll list on which his name shall be registered, and any wilful omission so to do shall be deemed a fraud, and shall be punished as similar frauds are now punished, under the general election laws of this commonwealth.

Penalty for fraud
on part of election
officers

SECTION 31. That if any judge, inspector or clerk of the election authorized to be held by virtue of this act, shall wilfully miscount, or shall falsely and fraudulently add up and return the votes received upon the question of division aforesaid, or shall keep a false tally paper, or shall be guilty of any fraud in the discharge of his duty, every person so offending, upon conviction thereof in the proper court of quarter sessions of said county, shall be subject to the same fines and penalties as are imposed upon delinquent judges and inspectors by the general election laws of this commonwealth.

Oaths of election
officers.

SECTION 32. It shall be the duty of the judges, inspectors and clerks conducting the election authorized to be held by virtue of this act, to take, in addition to the oath or affirmation he is now required by law to take, an oath or affirmation that he will honestly and faithfully comply, in every respect, with the provisions and requirements of this act.

Returns of elec-
tion, &c. how
made.

SECTION 33. The election shall be held and returns of election made in the manner hereinbefore provided for, and the validity of the election or returns be subject to like trial and examination as is now provided in case of a contested election for any county office under the general election laws of this commonwealth.

SECTION 34. It shall be the duty of the sheriff of the said county of Union to cause this act to be published in all the newspapers published in said county, immediately after the passage of this act, at least once a week until said election takes place, and shall cause at least two printed copies, one of which shall be in the German language, of said act to be posted up at least ten days before said election in handbill form, in the most public places nearest the election poll in every election district in said county, and the reasonable expenses of such publication shall be paid by the said county of Union by orders drawn in the usual way.

Duty of sheriff of Union county to make publication

SECTION 35. That the election authorized by the foregoing section may be held and shall be as valid, to all intents and purposes, without the previous payment of the tax now imposed by law upon new counties, as though the same had been paid prior to said election: *Provided*, That nothing herein contained shall be construed to release the said new county of Snyder from the payment of said tax before said county shall be organized.

Enrolment tax.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The second day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 556.

A SUPPLEMENT

To an act, entitled "An Act to incorporate the East Brandywine Railroad Company," approved the thirty-first day of March, one thousand eight hundred and fifty four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That it shall be lawful for the East Brandywine railroad, company to extend their road southward from the Columbia railroad at or near Downingtown, in the county of Chester, by the best and most practicable route to a point on the line between the states of Pennsylvania and Delaware, at or near where the Brandywine creek crosses the same, and also to extend their road northward from its northern terminus in the line of the Phoenixville and Cornwall and Lancaster and Pinegrove railroad, near the town of Springfield, in said county, to connect with the Philadelphia and Reading railroad near the Birdsborough iron works, in Berks county.

Authorized to extend their road.

May increase
capital stock.

SECTION 2. That the said company may by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock so much as may be necessary to accomplish the objects set forth in this act: *Provided*, That such increase shall not exceed the sum of five hundred thousand dollars.

Commissioners.

SECTION 3. That William Canby, Chalkley Harvey, of the county of Delaware; Caleb Brinton, Thomas Chandler, Geo. Brinton, Samuel Painter, C. Hill Brinton, Chalkley Jeffries, Enos Smedley, William Everhart, Eusibius Townsend, William Sugars, Henry Hoopes of the county, of Chester, and James Everhart, Edward Brooke, Henry S. Rupp, Charles Clingen, of the county of Berks, be and they are hereby appointed commissioners in connection with those appointed by the act to which this is a supplement, to perform the several duties therein and by this supplement authorized.

Their duties.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The second day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 557.

AN ACT

Authorizing the incorporation of the Allentown Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Stephen Balliet, Hiram J. Schantz, John Apple, Charles W. Cooper, Charles Foster, Joshua Seiberling, Peter Miller, Solomon L. Keck, William Wenner, Charles Kramer, Aaron G. Reninger, Nathan Dresher, Samuel Lewis, senior, William Fry, William H. Blumer, Lewis Schmidt, George Probst, James S. Reese, Henry King, John F. Ruhe, John Yost, Welcome B. Powell, Stephen Barber, Samuel A. Bridges, James Lackey, Jacob Dillinger, Joseph Laubach, Charles Witman and John L. Hoffman, be and are hereby appointed, and they or any thirteen of them are hereby authorized to carry into effect, from and after the passage of this act, the establishment of a bank to be located in the borough of Allentown, in the county of Lehigh, to be called "The Allentown Bank," with a capital stock of one hundred thousand dollars, to be divided into two thousand shares of fifty dollars each, with leave and power to increase the said capital stock to two hundred thousand dollars, and the number of said shares to four thousand; the said bank to be

organized, managed and governed as is provided by the act, entitled "An Act regulating banks," approved the sixteenth day of April, one thousand eight hundred and fifty, and the several supplements thereto, and to be subject to all the provisions and restrictions, and to enjoy all the privileges and immunities contained in the same. The legislature hereby reserves the power to alter, revoke or annul the charter hereby granted, whenever, in their opinion, it may be injurious to the citizens of the commonwealth; in such manner, however, that no injustice shall be done to the corporators.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The tenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 558.

AN ACT

Supplementary to an act, entitled "An Act to incorporate the Jeddo and Carbon County Railroad Company," approved the twenty-third day of March, one thousand eight hundred and fifty-four.

WHEREAS, It appears that, in order to make the Jeddo and Carbon railroad available to the coal land lying northward of the mountain range known as Council Ridge, a tunnel through the said mountain will be necessary; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That upon the completion of a tunnel of not less than two hundred yards in length, and of sufficient width for two railroad tracks, by the Jeddo and Carbon County railroad company, it shall be lawful for the president and directors of said company to charge the same amount for tolls and transportation through said tunnel, as they are now allowed by law to charge for three miles of the road: *Provided,* That the said president and directors may make such deductions therefrom as they shall deem expedient and proper, to those land-owners and others who may contribute to the making of said tunnel.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 559.

A FURTHER SUPPLEMENT

To an act to incorporate the Green Ridge Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Green Ridge improvement company, for the payment of their debts and making such improvements and developments as may be deemed necessary in the prosecution of their business, be and are hereby authorized to mortgage, sell, lease or otherwise dispose of their real estate, or any part thereof, and to borrow money not exceeding the sum of thirty thousand dollars, and to issue bonds therefor in amounts not less than one hundred dollars, at such rates of interest, and upon such terms, not exceeding the rate of ten per centum per annum, as may be determined upon by the said company, and to secure the payment of the said bonds by executing and delivering to such trustee or trustees, as the said company may select, a mortgage or mortgages upon all or any part of the property and franchises of said company; and further, to make the said bonds convertible into stock with the consent of the bond holders, which said stock the said company is hereby authorized to issue.*

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 560.

AN ACT

To incorporate the Bedford Mineral Springs Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Alexander King, William P. Schell, Espy L. Anderson, John H. Shoeneberger, Wilson M'Candless, Job Mann, Daniel Washbaugh, John Cessna, John M'Canless, Henry K. Strong, Samuel*

Davis, William T. Daugherty, William H. Watson and Nicholas Lyons, or any three or more of them, be and they are hereby appointed commissioners to do and perform the following duties: that is to say, they shall at such time or times, place or places, and upon such notice as they may deem expedient, open books Their duties. for the purpose of receiving subscriptions to the capital stock of the association incorporated by this act, and they may adjourn from time to time, and to such places as they may deem proper, until the whole amount of stock authorized by this act shall be subscribed; and if the whole amount of said stock shall not have been taken before the organization of said association, it shall be lawful for the president and directors, for the time being, to receive such subscriptions of stock until the whole amount thereof shall be taken.

SECTION 2. That the capital stock of said association shall be Capital stock. four hundred thousand dollars, in shares of one hundred dollars each, certificates whereof shall be issued to the subscribers for the number of shares by them respectively subscribed, signed by the president, countersigned by the secretary, and sealed with the common seal of said corporation, which stock shall be transferable in person or by attorney, executors, administrators, guardians or trustees, under such regulations and restrictions as may be provided by the by-laws.

SECTION 3. That when twenty per centum on said capital stock shall have been subscribed, and five dollars on each and every share thereof shall have been paid, the commissioners aforesaid, or such of them as shall have acted, shall certify to the governor, under their hands and seals, the names of the subscribers, the number of shares subscribed by each, and that five dollars on each share have been paid, whereupon the governor shall, by letters patent, under his hand and the seal of the commonwealth, create and constitute the said subscribers and those that may thereafter be associated with them, their successors and assigns, into a body politic and corporate, in deed and in law, by the name, style and title of the Bedford mineral springs Letters patent. association, and by that name to have perpetual succession, with all the privileges, franchises and immunities incident to a corporation, and may sue and be sued, implead and be impleaded, complain and defend in all courts of law and equity, of record or otherwise, may make, have and use a common seal, and the same may alter and amend at pleasure, may ordain such by-laws, ordinances and regulations as may be necessary and convenient for the proper government of said corporation, the same not being contrary to the constitution of the United States and this commonwealth, and generally may do all and singular the matters and things necessary for the well being and due management of said corporation; and also, as such, shall have power to purchase the watering place known as the Bedford springs, and the lands and appurtenances thereto belonging, and make such improvements to and upon the same as to said corporation may seem expedient and proper. Style. Privileges.

SECTION 4. That as soon as conveniently may be after the said letters patent shall be obtained, the said commissioners who may have assumed the duties mentioned in this act, or any three of them, shall appoint a time and place for the subscribers to meet for the purpose of organizing the association, giving at least three weeks' notice thereof in at least one newspaper published in the borough of Bedford, one published in the city Organization.

of Philadelphia, and one published in the city of Pittsburg, and the subscribers, when met at the time and place so appointed, shall elect, by a majority of the votes given in person or by proxy, a president and six directors, who shall manage the affairs and business of the association until the first Monday of July then next ensuing, and until others be chosen: *Provided*, That no person shall be eligible to the office of president or director, who does not own at least five shares of stock: *And provided further*, That in case of the death or resignation of the president or any director, the remaining directors may supply the vacancy until the next annual election.

Proviso.

Proviso.

President and directors.

Quorum.

Minutes.

Appointment of officers.

Bonds.

SECTION 5. That the president and directors of said association for the time being, are hereby authorized and empowered to exercise all the powers granted to the corporation; they shall meet at such times and places as they may deem most convenient for the transaction of their business, and when met, four shall be a quorum; the president, if present, shall preside at all meetings, and have the right to vote only in case of a tie; in the absence of the president, the board shall appoint a president *pro tem.*; they shall keep a minute of their proceedings in a suitable book to be provided for that purpose; shall choose a secretary and treasurer; and may appoint and employ all such officers, agents, superintendents, artizans, workmen, or other persons as, in their opinion, may be necessary and proper in the management of the affairs and business of said association, at such times, in such manner, and under such regulations as they may determine; they shall fix the salaries and wages of such officers and persons employed by them, and may require bond, with security, in such sums as they may deem proper, of each and any of said officers, or other persons by them appointed or employed, for the faithful discharge of their duties; they are also authorized to design, determine and contract for any improvements they may deem necessary for the accommodation of visitors, or the adornment of the grounds, and to lease the property belonging to the corporation to such lessee or lessees, for such term or terms, and at such annual or other rents as may be determined by the board; and generally may do all such acts, matters and things as by this act, and the by-laws of the association, they may be authorized to do.

Dividends.

SECTION 6. That dividends of so much of the profits of the company, as shall appear advisable to the directors, shall be declared and paid to the stockholders, or their representatives, at such times and places as may be provided by the by-laws.

Elections of directors.

SECTION 7. That the elections for directors shall be conducted as follows, to wit: At the first election, the commissioners who have acted, or any three of them, shall appoint three stockholders, not being candidates, to be judges of the said election, and to hold the same; and at every succeeding election the directors, for the time being, shall appoint three stockholders, who shall not be directors nor candidates, for the like purpose; and the persons so appointed by the commissioners or directors, shall respectively take and subscribe an oath or affirmation before any officer competent to administer an oath, well and truly, and according to law, to conduct such election to the best of their knowledge and ability; and the said judges shall decide upon the qualifications of voters, and when the election is closed, shall count the votes and declare who have been elected, and certify the same, at the first election, to the commissioners who

appointed them, and at all subsequent elections to the directors; and if at any time it shall happen that an election of directors shall not be held at the time specified, the corporation shall not, for that reason, be dissolved, but it shall be lawful to hold such election on any day within three months thereafter, by giving at least ten days' previous notice of the time and place of holding such election, in at least one paper published in the borough of Bedford; and the directors of the preceding year shall, in that case, continue in office, with all the powers belonging to them as such, until others are elected; each share of stock shall entitle the holder thereof to vote, and each ballot shall have endorsed thereon the number of shares thereof represented; no proxy shall be received, or entitle the holder to vote at any election or general meeting, unless the same shall bear date, and have been duly executed within three months next preceding such election or general meeting.

SECTION 8. That the annual election of president and directors of said association shall be held at such place as may be fixed by the by-laws, on the first Monday of July in every year, of which notice shall be given by the secretary at least two weeks previously, in at least one paper published in the borough of Bedford. Annual elections.

SECTION 9. That the stockholders of said association shall have power, at any general meeting for the election of president and directors, or any meeting called for the purpose, to alter or amend the by-laws enacted by the board of directors: *Provided*, That notice of the proposed alterations and amendments shall have been given by publication, for six weeks previous to said meeting, in at least one paper in the borough of Bedford. By-laws. Proviso.

SECTION 10. That the legislature hereby reserves the right to alter, revoke, or annul the privileges and charter hereby granted, whenever the same shall become injurious to the citizens of this commonwealth; in such manner, however, that no injustice shall be done to the corporators. Reservation.

SECTION 11. The act incorporating said Mineral springs, approved eighth day of May, one thousand eight hundred and fifty-four, is hereby repealed. Repeal.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini, one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 561.

AN ACT

To incorporate the West Philadelphia White Lead Manufacturing Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Wetherill, John P. Wetherill, Henry M. Wetherill, John L. Janeway, R. L. Martin, R. S. Reed, Charles Jacobs, Benjamin N. Wynkoop, James H. Mullen, Samuel Wetherill, and such other persons as shall be associated with them, and their successors, be and the same are hereby incorporated into a body politic and corporate, for the period of twenty-five years from the passage of this act, with a capital of one hundred and fifty thousand dollars, with the privilege of increasing the same to two hundred and fifty thousand dollars, to be divided into shares of one hundred dollars each, for the purpose of manufacturing white lead and other paints, under the name and style of the West Philadelphia white lead manufacturing company, and shall have authority to make and use a common seal, and the same to break, alter or renew at pleasure, and by name and style shall be capable in law to sue and be sued, plead and be impleaded in any court, before any judge or justice, in all manner of suits, and shall be capable of taking and holding to them and their successors, lands and tenements not exceeding one square of ground of the town plot of the city of Philadelphia, goods, chattels, securities, machinery, fixtures and effects necessary for the prosecution of their business, and the same to sell, alien, convey or dispose of at pleasure; and is hereby authorized and empowered to make by-laws, rules and regulations, and to do everything needful for the good government of said company: *Provided,* That said rules and by-laws shall not be repugnant to the constitution and laws of this commonwealth or of the United States.

SECTION 2. That the affairs of said company shall be managed by a board of five directors, one of whom shall be the president, to be elected by and from the stockholders, and shall have power to appoint and employ such agents, officers, clerks and workmen as may be necessary for the purposes of said corporation.

SECTION 3. That the first election for directors shall be held within six months after the passage of this act, of which election public notice shall be given at least two weeks previously thereto, in two or more newspapers published in the city of Philadelphia; and the subsequent elections shall be held at such convenient time and place as the directors shall determine, of which previous notice shall in like manner be given: *Provided,* That in case of failure to hold an election under this act, the former directors shall continue in office until their successors be duly elected, which shall be within six months from the time of such failure.

SECTION 4. That the election for directors shall be by ballot, and each stockholder shall be entitled to vote according to the number of shares held by him, in the following ratio, namely:

For each share not exceeding two shares, one vote; for every two shares above two and not exceeding twenty-five shares, one vote; for every four shares above twenty-five and not exceeding fifty, one vote; and for every six shares above fifty, one vote; no share shall confer the right of voting whilst any instalment is due thereon and unpaid, nor, which shall have been transferred within three months previous to the election, nor unless *bona fide* held by the person in whose name it appears, in his own right or that of his wife, or an executor, administrator, trustee or guardian, and all votes by proxy shall be in the terms and conditions prescribed by the several acts of assembly regulating proxies.

SECTION 5. That the said company are hereby authorized and empowered to pursue the business of manufacturing white lead and any other paints from lead, zinc, or any other material, and the same to sell or dispose of as may be convenient. Objects.

SECTION 6. That dividends of so much of the net profits as the directors think advisable, may be declared as soon after the settlement of the books on the first day of January in every year as may be convenient, and be paid to the stockholders or their legal representatives at any time, on demand, after the expiration of twenty days from such declaration; but the dividends shall in no case exceed the net profits actually acquired by the company, as exhibited by the books and accounts. Dividends.

SECTION 7. That any real estate or property, materials or machinery for making paints, which may be received in payment for stock, shall be taken at a valuation approved by the board of directors or a majority of the stockholders. And this act shall not go into effect until at least one hundred thousand dollars shall have been subscribed, and at least one-half paid in, of which notice shall be given to the governor. Valuation of certain real estate.

SECTION 8. That the said company shall be required to pay to the state treasurer, for the use of the state, a tax of one per centum upon the capital stock thereof, to be paid in five annual instalments, the first to be paid within six months after this act of incorporation shall go into effect, and the remaining instalments at intervals of twelve months each. Tax to state.

SECTION 9. That the stockholders in said company shall be individually liable for all sums of money due to the workmen, agents, clerks, and persons employed by them in the manufacture and sale of the products of said manufactory: *Provided*, That the share of one of the sons of the late John Price Wetherill in any of the property of the estate of such decedent which may be put into said company, shall be so put in and held by the trustees of such share, in like manner and with the same liability only as if said investment had been made by the said decedent, under the provisions of this act; but nothing herein contained shall in any manner or way affect the right of any person, under or against the last will and testament of said John Price Wetherill, deceased, or in any way whatever confirm the trusteeships created by said will and testament. Individual liability.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-second day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 562.

AN ACT

To increase the capital stock of the Philadelphia Steam Propeller Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the president and directors of the Philadelphia steam propeller company be and they are hereby authorized and empowered to increase the capital stock of said company one thousand shares, of one hundred dollars each, in addition to the capital authorized by the act, entitled "An Act to incorporate the Philadelphia steam propeller company," approved the eighth day of February, one thousand eight hundred and fifty-three.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 563.

AN ACT

To incorporate the Union Hall Association of Middletown, Dauphin county, Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Samuel Landis, Henry Smith, Jeremiah Rohrer, C. Landis, Jacob L. Nisley, J. K. Shott, J. H. Nisley and James Ringland, and their successors, and all persons who now are or hereafter may be associated with them, be and they hereby are created and erected into a body corporate and politic, in deed and in law, by the name, style and title of the Union Hall association of Middletown, in the county of Dauphin, and by that name shall have perpetual succession and be able to sue and be sued, plead and be impleaded in any court of law or equity, and to take and hold to them and their successors, either by grant, gift or devise or lease, any lands or real estate, for the purpose of*

Corporators.

Style.

Powers.

erecting thereon a suitable building or buildings for the use of said association, any goods or chattels, sum or sums of money, by gift, grant, bargain, sale, will or bequest, from any person or persons whomsoever, capable of making the same, and the same at their pleasure to grant, bargain and sell for the use of the said corporation, and to borrow any sum or sums of money for the purpose of said association, not exceeding fifteen hundred dollars, and generally to do all and singular the matters and things which shall be lawful for them to do for the well-being and due management of the affairs of said association: *Provided*,^{Proviso.} That the real estate of which the said incorporation shall be at any time possessed, shall not exceed the clear yearly value of five hundred dollars.

SECTION 2. That the persons hereinbefore named are hereby^{Commissioners} appointed commissioners to do and perform the several acts and things hereinafter mentioned; that is to say, they or such of them as shall act in the premises (not less than three,) shall as soon as conveniently may be, and within six months next after the passage of this act, procure and open a suitable book or books, at such time and place as they may designate in the borough of Middletown, (of which time and place due notice shall be given,) in which book or books they shall enter as follows: We, whose names are hereunto subscribed, do promise to pay to the trustees and company of the Union hall association of Middletown, ten dollars for every share of stock set opposite our names, in such manner and proportions and at such times as shall be determined by the trustees of said association. Witness our hand and seal this day of one thousand eight hundred and fifty-five.^{Their duties.}

SECTION 3. That the said commissioners, or at least three of them acting in the premises, shall as soon as conveniently may be after sufficient amount of stock has been subscribed for to procure a site and erect suitable buildings, appoint a time and place for the subscribers to meet, in order to organize the said association; and the subscribers when met, shall by ballot elect by a majority of the voters present, three trustees, citizens and residents of said borough of Middletown, to conduct and manage the affairs and business of the said association until the first Monday of January of the next following year, and until others are chosen, and shall annually thereafter at such time and place as the by-laws of said association shall provide, elect three trustees to serve as aforesaid; and the three commissioners first named shall be judges of the first election of trustees, and the judges of all future elections shall be appointed by the trustees for the time being; and notice of such election shall be given in such manner as the by-laws shall provide.^{Other duties of commissioners}

SECTION 4. That in the event of any of the subscribers refusing or neglecting in any wise to comply with the terms of subscription for the space of sixty days after they shall have been respectively notified thereof, they shall forfeit the money or instalments already paid in by them respectively, which shall enure to the benefit of the said association; and the trustees are hereby authorized to sell and dispose of such forfeited stock in such manner as they may determine, as if the same had never been issued or sold.^{Payment of subscriptions.}

SECTION 5. That the object of said association shall be to^{Objects.} provide, erect and furnish a hall or suitable building or buildings, in or as near as may be to the borough of Middletown, for

the accommodation of public meetings, lectures, exhibitions, entertainments, and for other purposes, not inconsistent with, or to the hindrance of the foregoing.

Privileges. SECTION 6. That it shall and may be lawful for the said corporation to have a common seal, and the same at will and pleasure to change, alter and renew as they shall think proper; and shall have and exercise all the rights, privileges and immunities necessary for the purposes of the corporation hereby constituted and as herein expressed.

Power of trustees. SECTION 7. That the trustees for the time being, or a majority of them, shall have power to elect a president from their own body, to elect a treasurer and secretary, and to appoint such other officers and agents as they may deem necessary to execute the business of the association, to fix their compensation, and in their discretion to dismiss them, and to pass all such by-laws as shall be necessary to the exercise of said powers, and of other powers vested in said association; and the said by-laws from time to time to alter, amend and repeal: *Provided*, That such by-laws shall not be contrary to the constitution and laws of this commonwealth or the United States.

Committee of examination. SECTION 8. That it shall be the duty of the trustees at least once in every year to appoint from the members of the association three competent persons as a committee of examination, whose duty it shall be to investigate the affairs of said association, and to make report thereof to the stockholders.

Reservation. SECTION 9. That the legislature hereby reserves the right to alter or amend the charter hereby granted, whenever in their opinion it may be injurious to the citizens of the commonwealth; in such manner, however, that no injustice shall be done to the incorporators.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-ninth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 564.

AN ACT

To incorporate the Jefferson Fire Insurance Company of Philadelphia.

Preamble. WHEREAS, George Erety, Henry Gerker, August C. Miller, Frederick Staake, John F. Belsterling, Gustavus Lambert, William M'Daniel, Henry Troemner, John Wilson, Thomas Hargrave, Jacob Nullet, John C. Wood, Jacob Schandain, Joseph Deisinger, Philip Schmidt, William C. Smith, John M. Miller, Carlton R. Moore, William Gelbert, Joseph H. Haskell, Robert

Q. Schelmerdine, C. H. Miller, John Gutchus, Philip H. Heppe, William H. Weber, William Bauer, Philip Dorn, Fidel Fisher, Tobias Beehler, John Kuhn, T. A. Roese, Christian D. Frick, Henry Ulrich, junior, Maurice G. Carpenter, Peter A. Keyser, Corporators junior, B. B. Stimble, George Swope, Robert Swope, Jonas Bowman, Peter Steman, Adam Mintzer, Henry Schell, F. C. Kreider, Nathan Barrett, Daniel Underkofler, Ellwood M. Smith, Abel Lukens, John Kessler, junior, Samuel P. Shoemaker, William Vaulkner, George Horter and Philip E. Coleman have associated themselves together, and have subscribed for two thousand shares of stock, at fifty dollars per share, for the purpose of making insurances on goods, merchandize and real estate from loss by fire and the business connected therewith, and have applied to the legislature for an act of incorporation for said purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the aforesaid persons, and those who may hereafter become associated with them, shall be known and styled "The Jefferson Style. fire insurance company of Philadelphia," and by the same name have perpetual succession, and shall be able to sue and be sued, implead and be impleaded in all courts of record or elsewhere, Privileges. and to make and have a common seal, and the same to break, alter and renew at pleasure, and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of said corporation, not being contrary to the constitution or laws of the United States or of this commonwealth, and generally to do all and singular the matters which to them it shall lawfully appertain to do for the well being of the said corporation and the due management and ordering of the affairs thereof.

SECTION 2. That the capital stock of the Jefferson fire insurance company of Philadelphia shall consist of two thousand Capital stock. shares of fifty dollars each, subscribed for as aforesaid, to be paid in such instalments as the board of directors of said company may determine, which said capital may at any time hereafter be increased by them, not exceeding ten thousand shares of fifty dollars each; and if any subscriber, his or her assignee or transferee, shall refuse or neglect to pay the first or any subsequent instalment, called for and demanded by the directors as aforesaid, such subscriber, his or her assignee or transferee, shall forfeit each and every share on which the payment shall not be duly made on account of the share or shares so forfeited, and new subscriptions may be opened and received for the share or shares so forfeited, at the discretion of the board.

SECTION 3. That the affairs of the company shall be managed Business, how managed. by fifteen directors, stockholders of the said corporation, who shall be elected annually on the first Monday of January, between the hours of ten o'clock, A. M., and two o'clock, P. M.; and the directors so elected shall appoint a president and vice president of the company, and such other officers and agents as they may deem necessary for conducting the business of the said corporation, who shall perform the duties of their respective offices until they shall be re-elected, removed from office, or their successors shall be chosen; the said directors shall allow the persons so appointed such compensation for their services respectively as they shall deem reasonable, and generally exer-

cise all other powers and authorities for the well governing and ordering of the affairs and funds of the said corporation as this act confers or allows, or as hereafter may be conferred or allowed by the laws, regulations and ordinances of the said corporation; in case of the death or resignation of any director the vacancy occasioned thereby shall be filled by the remaining directors.

Votes

SECTION 4. That at all elections for directors the votes of the stockholders shall be by ballot, each share of stock having one vote, but no number of shares above fifty shall give any right to additional votes; no stockholder shall vote by proxy, nor shall any stockholder be entitled to vote unless the share or shares held by him or her, shall have been standing in his or her name, on the books of the said corporation for three months previous to said election: *Provided*, That every stockholder at the time of the first election of directors, shall have and enjoy the privilege of voting as aforesaid, and the first election of directors shall be held on the third Monday from and after the passage of this act, and the directors chosen at said election shall hold their offices until the first annual election as herein provided for, and until new directors shall be chosen.

Provide.

Insurances.

SECTION 5. That the president and directors shall have full power on behalf of the said corporation, to make insurances against losses by fire, on any house, tenement, manufactory or other building, and on goods, wares, merchandize and effects therein, and upon any ship or vessel upon the stocks, building or repairing, or at any moorings, or laying in port, and on goods, wares, merchandize and effects therein, and on hay, grain and other agricultural products in barns, stacks or otherwise, and generally on all kinds of buildings, and of goods, wares, merchandize and effects upon the land or laying in port, and to make, execute and perfect such and so many contracts, bargains, agreements, policies and other instruments as shall or may be necessary, and as the nature of the case shall or may require; and every such contract, bargain, agreement and policy, to be made by such corporation shall be in writing or in print, and shall be under the seal of the said corporation, signed by the president, and attested and signed by the secretary or other officer who may be appointed by the president and directors for that purpose: *Provided*, That it shall not be lawful to effect any insurance or issue any policy in the nature of insurance, against fire, until fifty thousand dollars of the capital stock of the said company shall be actually paid in by the stockholders.

Provide.

Investment of funds.

SECTION 6. That it shall and may be lawful for the said company to employ and invest their capital stock and other moneys of said company in bonds and mortgages, on real estate, in respondentia, bottomry, ground rents, stocks or loans of the United States and state of Pennsylvania, and in stocks or loans of any borough, city or institution incorporated by the laws of this state, and to sell and transfer the same and to re-invest the proceeds of such sale or transfer in other such loans, stocks or securities: *Provided*, That nothing in this act shall prevent said company from receiving, purchasing or holding any real or personal property and stocks, in payment of debts due them, or to secure the same in any manner that the interest of the said corporation may require, or to purchase and hold such real estate as may be necessary to accommodate the said corporation in the transaction of the business thereof, and to sell, assign

Provide.

and convey the same in fee simple or otherwise: *And provided also*, That the said corporation shall not issue script in payment of dividends, nor exercise any banking privilege, or issue any certificate or other paper to be circulated as bank paper.

SECTION 7. That the shares of stock of the said corporation shall be assignable and transferable only on the books of the said corporation, according to such rules and regulations as the directors shall for that purpose ordain and establish, and not otherwise. Transfers of stock

SECTION 8. The directors shall on the first Monday of May and November in every year, declare a dividend of so much of the profits of the corporation as to them shall appear advisable, and the dividends so declared shall be paid to the respective proprietors, agreeably to such rules and regulations as the directors shall make for that purpose; but the moneys received as premiums on risks, which shall be undetermined at the time of making such dividend, shall not be considered as part of the profits of the corporation; and in case of any loss or losses whereby the capital stock of the company shall be lessened, no subsequent dividend shall be made until a sum equal to such diminution shall have been added to the capital. Dividends.

SECTION 9. That within thirty days after the declaration of the dividend in November, as aforesaid, the officers of the company shall cause to be made and published in two or more daily newspapers published in the city and county of Philadelphia, a general balance sheet of the affairs of the company, which shall contain, Publication to be made.

I. The amount of premiums received during the year.

II. The amount of expenses of the company during the year.

III. The amount of losses incurred during the year.

IV. The balance remaining with the company.

V. The nature of the security on which the same is invested, specifying what amount is invested in real estate security, what in stocks, what amount in state or national loans, what amount in other securities and what amount of cash on hand.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 565.

AN ACT

To incorporate the Bank of New Castle.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Alexander L. Crawford, Robert W. Cunningham, Joseph Kissick, Thomas Wilson, E. Sankey, Wm. Dickson, John N. Ewer, Cyrus Clarke, Charles T. Whippo, Lawrence L. M'Guffin, Thomas Falls, James A. M'Claughry, John Ferguson, James Leslie and Wm. H. Reynolds be and they are hereby appointed commissioners for the purpose of establishing a bank to be located at the borough of New Castle, Lawrence county, to be called the Bank of New Castle, with a capital of one hundred and fifty thousand dollars, the same to be divided into three thousand shares, of fifty dollars each; said bank to be subject to all the provisions, restrictions and immunities of an act, entitled "An Act regulating banks," passed the sixteenth day of April, one thousand eight hundred and fifty.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HESTER,

Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 566.

AN ACT

Authorizing the incorporation of the Mauch Chunk Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* A. G. Brodhead, O. H. Wheeler, Hiram Wolf, A. A. Douglas, Cameron Lochart, A. W. Leisenring, Thomas Broderick, Richard Sharp, Thomas Craig, Jr., Jonathan Simpson, John Lentz, N. R. Penrose, William R. Otis, James M'Can, Jr., Lewis Weiss, William Lilly, Tilghman Amer, Abraham Brutzman, Daniel Steinler, William O. Struthers, Dennis Baughman, George

Bedford and Milo M. Dimmick are hereby appointed, and they, or a majority of them, are authorized to carry into effect, from and after the passage of this act, the establishment of a bank to be called the Mauch Chunk Bank, and to be located at the borough of Mauch Chunk, in the county of Carbon, with a capital of one hundred thousand dollars, to be divided into two thousand shares of fifty dollars each, with power to increase the said shares to four thousand shares, and the said capital stock to two hundred thousand dollars, and to be organized, managed and governed as is provided by the act regulating banks, approved the sixteenth day of April, one thousand eight hundred and fifty, and to be subject to all the provisions and restrictions, and to enjoy all the immunities and privileges contained in said act, and the several supplements thereto.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 567.

AN ACT

To authorize the Governor to incorporate the Pittsburg Bridge Company

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Ephraim J. Brooke, James Wood, Christian Zug, Samuel Hartman, John Singer, Caleb Foster, Elijah Heath, Robert Woods, George Ledlie, Mansfield B. Brown, Robert Sterret, George W. Jackson, James Trewick, James Gray, Fourth street, Samuel Long, Isaac Walker, Benjamin A. Meray, Goodmay y le Coulter, and Moses Chess, Clarence Shaler, Thos. Steele, David Mitchell, Jr., Alex. M'Kee, John Thompson, Rody Patterson, James R. Craft, be and they are hereby appointed commissioners to do and perform the several duties hereinafter named, viz: They shall, on or before the first day of January next, procure one or more books and therein enter as follows: "We, whose names are hereunto subscribed, do promise to pay to the Pittsburg bridge company the sum of fifty dollars for every share of the stock in the said company set opposite our respective names, in such manner, and at such times as shall be determined by the president and directors of said company;" and said commissioners shall proceed thereupon to receive subscriptions for the stock

of the said company, at such times and places, and in such manner as they shall think best, each person paying, at the time of subscribing, one dollar per share, to said commissioners, out of which shall be paid all incidental expenses, and the residue paid over to the treasurer of said company when elected.

Letters patent.

Style.

Privileges.

SECTION 2. That when twenty or more persons shall have subscribed one thousand shares, the said commissioners, or any five of them, shall certify the same under their hands and seals, with the names and amounts so respectively subscribed, to the governor of this commonwealth; and thereupon it shall and may be lawful for the governor, by letters patent, under his hand and the seal of the state, to create and erect the said subscribers, and also all those who may afterwards subscribe, into one body corporate and politic, in deed and in law, by the name, style and title of "The Pittsburg bridge company," and by the same name the said subscribers shall have perpetual succession, and all privileges and franchises incident to a corporation, and shall be capable of taking and holding their said capital stock, and increase and profits thereof, and enlarging the same from time to time by new subscriptions, in such manner and form as they shall think proper, to such an amount as shall be found necessary to fulfill the intent of this act, and by taking, purchasing and holding, to them and their successors, in fee simple, or for any less estate, all such estates, lands, tenements and hereditaments, real and personal, as shall be necessary and convenient in the prosecution of their works; and the same to sell and dispose of at their pleasure, of suing and being sued, and of doing all and every other matter or thing which a corporation or body politic may lawfully do.

Organization.

SECTION 3. That after the issuing of said letters patent, any five of said commissioners shall appoint a day for a meeting of said stockholders, and shall notify said stockholders, by advertisements, for two weeks, in a newspaper in the city of Pittsburg, of the time and place of meeting, at which time and place the said stockholders shall meet and organize said company, and shall choose by ballot, by a majority of the stock then and there voted, in person or by proxy, each share of stock counting one vote, one president and six directors, one treasurer and such other officers as they may think necessary to conduct the business of the company until the next regular election, and until other officers shall be duly chosen; and said stockholders, at such or any other regular meeting, may make such rules, regulations and by-laws, not inconsistent with the laws of this commonwealth, as shall be proper for the well ordering of the affairs of the said company.

Annual meetings.

SECTION 4. That the stockholders shall meet on the first Monday of January in each year thereafter, at such places as shall be fixed by the rules and regulations of the said company, for the purpose of choosing officers as aforesaid for the ensuing year.

Certificates of stock.

SECTION 5. That the said company shall keep proper stock books, and shall issue certificates of stock signed by the president, countersigned by the treasurer, sealed with their corporate seal, for all stock paid up in full, which stock shall be transferable at pleasure by the holder, in person or by attorney, on the books of the company in presence of the president or treasurer.

Meetings of president and directors

SECTION 6. That the president and directors shall meet at such times and places, and be convened in such manner as shall

be agreed on, for transacting their business; and at such meeting five members shall be a quorum, who, in the absence of the president, shall choose a president *pro tempore*, and shall keep a record of all their transactions, and shall have full power to appoint and employ engineers, superintendents and such other officers, from time to time, as they shall think necessary to carry on their work, fix their salaries or wages, direct the times and manner of the payment of the stock by the stockholders, and pay out moneys by warrants signed by the president and countersigned by the clerk or secretary of said company, and to do all such matters and things as, by the rules, regulations and by-laws of said company, shall be committed to them.

SECTION 7. That the said company are hereby authorized and empowered to erect, construct, set up, and finish a bridge from any point in the city of Pittsburg, on or westwardly of Liberty street in said city, across the Monongahela river, at its junction with Allegheny river, to such point as shall be deemed by said company most suitable; the same to be erected and constructed of such height, and in such manner, as will meet the requisitions of the law, as laid down by the supreme court of the United States in the Wheeling bridge case, in regard to the obstruction of navigation; and they are also empowered to make and construct all necessary roads or causeways to and from each end of said bridge, of a suitable width: *Provided*, That before said company shall enter upon any land or lands for the construction of said bridge or causeways, a just and fair compensation shall be made to the owner or owners thereof, or adequate security given therefor; which compensation shall be ascertained, fixed, governed, regulated and paid, in the same manner as is provided for damages done to lands in the general act regulating railroads in this commonwealth.

SECTION 8. All assessments of payments on stock, if not paid when due, or within ten days thereafter, shall bear an interest of two per cent. per month, and if not paid within thirty days after said assessment or assessments are due, the company may, if they see fit, forfeit the said stock, and it shall thereafter become the property of the company absolutely.

SECTION 9. That said company shall, at all times, keep regular books of account, showing all moneys received and expended, the dividends, receipts, interest and losses of said company, and all other matters and things necessary to the full and perfect understanding of their business; and they shall permit so much stock, and no more, to be taken and subscribed, as will fully pay for all the first cost and outlay.

SECTION 10. When said bridge is so far completed as that the same can be safely crossed and used, then, and from thenceforth the said company may demand and receive toll from all persons crossing said bridge, not exceeding the following rates, to wit: For every carriage of whatever description, used for the purpose of trade or agriculture, having four wheels, and drawn by four horses, sixty cents; for every such carriage drawn by two horses, forty cents; for every such carriage having more than four horses, one dollar; for every such carriage having three horses, fifty cents; for every carriage of whatever description, used for personal accommodation or pleasure, having four wheels, and drawn by more than two horses, eighty cents; for every such carriage drawn by two horses, fifty cents; for every vehicle or carriage with two wheels, and drawn by more than one horse,

fifty cents; and for every such vehicle or carriage, drawn by one horse, twenty-five cents; for every sleigh or sled, drawn by more than one horse, fifty cents, and by one horse, twenty-five cents; every horse with a rider, ten cents; every carriage drawn by oxen, or partly by horses and partly by oxen, to be rated in proportion of one ox for one horse; and a mule shall be rated as a horse; every horse without a rider, five cents; sheep and swine two cents per head; cattle four cents per head; for every foot passenger four cents per head: *Provided*, That all persons going to, and returning from divine worship on Sabbath day, attending funerals, going to or returning from elections, military trainings, schools or seminaries of learning, shall not pay toll.

Proviso.

Dividends.

SECTION 11. The said company shall, from time to time, declare dividends to said stockholders, and pay the same out of the profits and income, first having deducted all contingent costs and charges; and also, should they deem it proper, such proportion of said income as may be deemed necessary for a growing fund to provide against the decay, and for the rebuilding and repairing the said bridge.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 568.

AN ACT

To incorporate the Eureka Insurance Company of the City of Pittsburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That there shall be and hereby is established at the city of Pittsburg, in Allegheny county, an insurance company under the name and style of the Eureka insurance company, with all the rights, powers, privileges and immunities which have been granted to the Western insurance company of Pittsburg.

Style.

Powers.

Commissioners.

SECTION 2. That Samuel Gorinly, Isaac M. Pennock, Silas S. Fowler, George E. Arnold, Charles A. Colton, Hopewell Hepburn, John Snyder, John H. Shoenberger, George S. Selden, Edward Rahm, William M'Candless, Hill Burgwin, William K. Nimick, James K. Moorehead, William F. Johnston, Edward Darlington, Andrew W. Pentland and Archibald M'Bride, Robert Morris, George R. Riddle, of Allegheny county, or any three of them, be and they are hereby authorized, after giving ten

days' notice in any daily paper published in the city of Pittsburg, to open books in said city for subscription to the capital stock of said company, at such time and place as they may designate, and the same to keep open from day to day, (Sundays excepted,) between the hours of ten o'clock, A. M., and three o'clock, P. M., until at least one thousand shares of stock shall have been subscribed for; after which it shall be lawful for the subscribers to meet, five days' notice having been given in a daily paper of the city of Pittsburg of the time and place, and choose the first board of directors, which shall consist of not more than thirteen nor less than seven persons, who shall have power to choose a president, vice president and all other officers, clerks and agents, also to determine how many shall constitute a quorum.

Subscription to stock.

Organization.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 569.

A N A C T

To incorporate the Delaware and Schuylkill Basin Company in the city of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Francis Hopkinson, Caleb Cope, Charles Henry Fisher, Wm. F. Hughes, James Bond, Henry M. Watts, Charles Dutilh, Isaac R. Davis, Samuel Welsh, Frederick Fraley, Wm. B. Fling, John R. Worrel, J. P. Hutchinson, Joseph Swift, J. R. Vanderkemp, P. R. Howard, Edward J. Etting, G. D. Rosengarten, Wm. E. Bowen, Thomas Sparks and William R. Thompson, be and they are hereby appointed commissioners to do and perform the several things herein after mentioned, that is to say: They shall, on or before the first day of October next, procure a sufficient number of books, and open the same at such times and places as the said commissioners, or a majority of them, may direct, in each of which said books they shall enter as follows: We, whose names are hereunto subscribed, do promise to pay to the president and managers of the Delaware and Schuylkill basin company, the sum of fifty dollars for every share of stock set

Commissioners.

Duties.

opposite our respective names, in such manner and proportions and at such times as shall be determined by the president and managers of the said company, in pursuance of an act of the general assembly of this commonwealth, entitled "An Act to incorporate the Delaware and Schuylkill basin company."

Witness our hands the day of in the year of our Lord one thousand eight hundred and ; and shall thereupon give notice in one or more papers printed in the city of Philadelphia, twenty days at least, of the times and places, when and where the said books shall be kept open and receive subscriptions for the stock of the said company, at which respective times and places one or more of the commissioners shall attend and permit all persons of lawful age, who shall offer to subscribe in the said books in their own names, or in the names of any other persons, who shall authorize the same, for shares in the said stock, and the said books shall be kept open respectively, for the said purpose, at least six hours in every juridical day, for the space of four days, or until there shall have been subscribed ten thousand shares, and if at the expiration of six days the books aforesaid shall not have the number of shares aforesaid therein subscribed, the said commissioners may adjourn from time to time, and transfer the book or books elsewhere, until the whole number of ten thousand shares shall be subscribed, of which adjournments and transfers the commissioners aforesaid shall give such public notice as the occasion may require, and when the whole number of shares shall be subscribed then the books shall be closed: *Provided*, That no person be permitted to subscribe for more than three hundred shares on the first day, and not more than three hundred shares on the second day, after which any person may subscribe for any number of shares, until the whole of stock be taken.

Provis.

Letters patent.

Style.

Privileges.

SECTION 2. That when five thousand shares or more of the stock shall be subscribed, and the sum of five dollars paid on each and every share, the commissioners, or a majority of them, may certify to the governor, under their hands and seals, the names of the subscribers, and the number of shares subscribed by each, whereupon, the governor shall by letters patent, under his hand and seal of the commonwealth, create and erect the subscribers, and if the subscription be not full at the time, then also those who shall thereafter subscribe to the number of shares as aforesaid, into a body politic and corporate, in deed and in law, by the name, style and title of the "Delaware and Schuylkill basin company," and by the same name the subscribers shall have perpetual succession, and be able to sue and be sued, plead and be impleaded in all courts of record, and elsewhere, and to purchase, receive, have, hold and enjoy, to them and their successors, lands, tenements and hereditaments, goods, chattels and all estate, real, personal or mixed, of what kind or quality soever, and the same from time to time, to lease, sell, mortgage, grant, alien or dispose of on ground rent or otherwise, on any terms they may think proper, and to make dividends of such portions of the profits as they may deem proper, and also to make and have a common seal, and the same to alter or renew at pleasure; and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of the said corporation, not being contrary to the constitution and laws of the United States or of this commonwealth, and generally to do all and

singular the matters and things which to them it shall lawfully appertain to do for the well-being of the said corporation, and the due management and ordering the affairs of the same: *Provided*, That nothing herein contained shall be considered as in any way giving to the said corporation any trading or banking privileges whatsoever, or any other liberties, privileges or franchises, but such as may be necessary or incident to the making and constructing the improvements hereinafter provided for, and the sale, leasing and disposal of their real and personal estate as aforesaid: *Provided*, The same shall not exceed one hundred acres of land, in addition to the flats covered with water.

SECTION 3. That the said named persons or a majority of them shall, as soon as conveniently may be after the said letters patent shall be obtained, give at least twenty days' previous notice in the newspapers hereinbefore mentioned, of the time and place by them appointed for the subscribers to meet, in order to organize the said company, and to choose by a majority of votes of the said subscribers by ballot, to be given in person or by proxy, which proxy shall have been obtained and bear date within three months previously to the election, at which such proxy shall be presented, duly authorized, one president and seven managers, a treasurer and secretary, and such other officers as shall be required by the by-laws; that the president and managers aforesaid shall conduct the business of said company until the second Wednesday of May, then next, and until like officers shall be chosen, and make such by-laws, rules, orders and regulations as are not inconsistent with the constitution and laws of the United States or of this state, and that may be necessary for the well governing the affairs of the company.

SECTION 4. That the stockholders shall meet on the second Wednesday of May in every year, at such place as may be fixed upon by the by-laws, of which notice shall be given, at least twenty days, by the secretary, in the newspapers before mentioned, and choose by a majority of the votes present, their officers for the ensuing year as mentioned in the third section of this act, who shall continue in office for one year, and until others are chosen, and at such other times as they may be summoned by the managers, in such manner and form as shall be prescribed by the by-laws, at which annual or special meeting they shall have full power and authority to make, alter or repeal by a majority of the votes in manner aforesaid, all such by-laws, rules, orders and regulations as aforesaid, and to do and perform every other corporate act, and the number of votes to which each stockholder shall be entitled shall be according to the number of shares he or she shall hold: *Provided*, That no shares held by transfer, shall be entitled to votes unless the same shall have been transferred at least three months before the election, and all votes by proxy shall be on such terms and conditions as are prescribed by this act.

SECTION 5. That the election for officers provided for in the fourth section of this act, shall be conducted in the following manner, that is to say: The managers for the time being shall appoint two of the stockholders, not being managers, to be judges of the said election, and to conduct the same after having severally sworn and subscribed on oath or affirmation, before an alderman or justice of the peace, well and truly and according to law, to conduct said election to the best of their knowledge

and abilities, and the said judges shall decide finally upon the qualifications of the voters, and when the election is closed shall count the votes, and declare who has been elected; and if it shall at any time happen that an election of president, managers, treasurer, secretary or other officers shall not be made, the corporation shall not for that cause be deemed to be dissolved, but it shall be lawful to hold and make such election of president, managers, treasurer, secretary or other officers at any other day thereafter, by giving at least ten days' notice, signed by the president or secretary, in the newspapers before mentioned, of the time and place of holding said election, and the president, managers, treasurer, secretary and other officers of the preceding year shall in that case continue to act, and be invested with all the powers belonging to their respective situations until an election shall take place. In the case of death, resignation or removal from the state, of any president, manager, treasurer, secretary or other officer, his place shall be filled by the board of managers until the next annual election.

Vacancies.

Meetings of managers.

Quorum.

SECTION 6. That said president and managers shall meet at such times and places as shall be found most convenient for the transacting of their business, and when met four shall be a quorum, who in the absence of the president, may choose a chairman, and shall keep minutes of their transactions, fairly entered in a book; and a quorum being formed they shall have full power and authority to appoint all such surveyors, engineers, superintendents and other artists and officers, as they shall deem necessary to carry on the intended work, and to fix their salaries and wages; to ascertain the times, manner and proportions in which the said stockholders shall pay the moneys due on the respective shares; to draw orders on the treasurer for money, which shall be signed by the president, or in his absence by the president, *pro tempore*, or chairman, and countersigned by the secretary, and generally to do all such other acts, matters and things as by this act and by the by-laws and regulations of the company they are authorized to do.

Certificates of stock.

Transfer of stock.

SECTION 7. That the president and managers first chosen, shall procure certificates or evidence of stock for all the shares of the said company, and shall deliver one such certificate, signed by the president, and countersigned by the treasurer, and sealed with the common seal of the said corporation, to each person for shares by him subscribed and held, which certificate or evidence of stock shall be transferable at his pleasure, in person or by attorney duly authorized, in the presence of the president or secretary, who shall keep a book for that purpose, subject, however, to all payments due or to become due thereon; and the assignee holding any certificate, having first caused the assignment to be entered in a book of the company to be kept for the transfer of stock, shall be a member of the said corporation, and for every certificate assigned to him as aforesaid shall be entitled to the number of shares of the capital stock therein stated, of all the estates and emoluments of the company, incident to such shares, and to vote as aforesaid, at the meetings thereof, and subject to all penalties and forfeitures, and of being sued for all the balance and penalty due, or to become due, on such shares, as the original subscriber would have been.

Payment of subscriptions.

SECTION 8. That if after thirty days' notice, in the public papers aforesaid, of the time and place appointed for the payment of any proportion or instalment of the said capital stock, in

order to carry on the work, any stockholder shall neglect to pay such proportion or instalment, at the place appointed, for the space of thirty days after the time so appointed, every such stockholder or his assignee shall, in addition to the instalment so called for, pay at the rate of two per centum per month for the delay of such payment; and if the same and the additional penalty shall remain unpaid for such space of time as that the accumulated penalty shall become equal to the sums before paid in part and on account of such shares, the same shall be forfeited to the said company, and may be sold to any person or persons willing to purchase, for such price as can be obtained for the same; or in default of payment by any stockholder of any such instalment as aforesaid, the president and managers may, at their election, cause suit to be brought before an alderman or justice of the peace, or in any court having competent jurisdiction, for the recovery of the same, together with the penalty aforesaid: *Provided*, That no stockholder, whether original subscriber or assignee, shall be entitled to vote at any election, or at any general or special meeting of the said company, on whose share or shares any instalment or arrears may be due and payable, more than thirty days previously to the said election or meeting. Proviso.

SECTION 9. That the president and managers of the said company shall demand and require of and from the treasurer, and all and every other of the officers and other persons by them employed, bond in sufficient penalties, and with such securities as they shall by their rules, orders and regulations require for the faithful discharge of the several duties and trusts to them or any of them respectively committed. Official bonds.

SECTION 10. That dividends of so much of the profits of the corporation as shall appear advisable to the directors, shall be declared at least twice a year in every year, and paid to the stockholders on demand, at any time after the expiration of ten days therefrom, but they shall in no case exceed the amounts of the net profits actually acquired by the company, so that the capital stock shall never be thereby impaired; if the said directors shall make any dividend which shall impair the capital stock of said corporation, the directors consenting thereto shall be liable, in their individual capacities, to said company for the amount of the stock so divided; and each director present when such dividends shall be declared, shall be adjudged to be consenting thereto, unless he forthwith enter his protest in the minutes of the board, and give public notice to the stockholders at the declaring of such dividend. Dividends.

SECTION 11. That at the end of the third year after the date of this incorporation, and at the end of every year thereafter, there shall be furnished to the legislature an abstract of the accounts of the company, showing the whole amount of their capital actually paid into the funds of the company, and the amount of dividend declared in each year, or the losses sustained, as the case may be, which abstract shall be verified by the oath or affirmation of the president of the company for the time being; that the directors of said company shall have power to erect, construct and build artificial basins or docks, with or without locks, for the reception of boats, the transshipment of coal, merchandise, produce, et cetera, and the reception and storing thereof, at or near the mouth of the river Schuylkill, either on the main land, and the islands and flats adjacent thereto, or on either or Report to the legislature.
Powers of company.

both of them, and if on both connecting them together in such manner as may be deemed expedient; and to erect and construct such wharves, warehouses, stores and such other necessary buildings and devices as may be required for the convenient and economical transactions of the business of the said company or the public.

May make rail-
roads, &c.

Proviso

Proviso.

SECTION 12. That the said company shall have power to survey, lay down, ascertain, mark and fix such route as they shall deem expedient for a single or double track railroad from the said basin, dock or wharves to connect with other roads passing through the city of Philadelphia, having due regard to the situation and nature of the ground and of the buildings thereon, the public convenience and the interest of the stockholders, and so as to do the least damage to private property; and the said road shall not be more than five rods wide, and shall not pass through any burying ground nor place of public worship, nor any dwelling house, without the consent of the owner thereof, nor shall it pass through any out-buildings of the value of three hundred dollars without such consent: *Provided*, That the said railroad shall be made single or double so as to accommodate the trade ascending as well as descending the same: *And provided further*, That no wharf shall be erected without the approbation of the wardens of the port of Philadelphia, nor any route of the said railroad be fixed without the approval of the select and common councils of said city of Philadelphia.

May take mate-
rials.

SECTION 13. That it shall be lawful for the said company and their agents, and all persons employed by or under them for the purpose contemplated by this act, to enter upon any land which they may deem necessary for laying out said road, and also for the purpose of searching for stone, earth and gravel for constructing said basin, docks and road, but no stone, gravel, sand or earth shall be taken away from any land without the consent of the owner thereof, until the rate of compensation for the same be ascertained and paid, which rate of compensation, if the parties cannot agree thereon, shall be ascertained in the manner hereinafter prescribed as to the compensation for lands over which said road may be laid.

Further powers.

SECTION 14. That it shall and may be lawful for the company hereby incorporated to make, erect, dig, excavate, construct and establish a single or double railroad as aforesaid, and said company are hereby empowered to make, erect and establish all works, edifices and devices to such basin, docks and railroad as may by the said company be deemed expedient for the purpose of carrying into effect the objects of their incorporation, and also to contract and agree with the owner or owners for the purchase of any lands or tenements which may be necessary for the purpose of erecting the said basin, docks, railroad or wharves.

Appraisement of
damages.

SECTION 15. That whenever it shall be necessary for the said company to enter in and upon and occupy, for the purpose of making said railroad, any land upon which the same may be located, if the owner or owners of the said land shall refuse to permit such entry and occupation, and the parties cannot agree upon the compensation to be made for an injury, or supposed injury, that may be done to said land by such entry and occupation, it shall and may be lawful for the parties to appoint five suitable and disinterested persons to estimate such damages, who shall be under oath or affirmation fairly and impartially to estimate the same, and shall reside within the proper county where

the land lies; and the expenses incurred by the said appraisers shall be defrayed by the said company; but if the parties cannot agree upon such persons, or if the persons so chosen shall not decide upon the matter, or if the owner or owners of such land shall refuse or neglect to join in such appointment within twenty days after requisition for that purpose upon him, her or them made, or if such owner or owners shall be *feme covert*, under age, *non compos mentis*, out of the state or unknown, then it shall be lawful for the court of common pleas of the county of Philadelphia, on application of either party, and at the cost and charge of the said corporation, to appoint five disinterested persons, men of said county, to view, examine and survey the said lands, tenements or hereditaments, or estimate the injury or damage, if any, that in their apprehension will be sustained as aforesaid by reason of said railroad, and report the same, under their oaths or affirmations, to the said court, which report being confirmed by the said court, judgment shall be entered thereon, and the viewers shall be entitled to like fees for their services as are allowed by law to reviewers of public roads and highways, to be paid by said company; and it shall be the duty of the said appraisers, in estimating such injury or damage, to take into consideration the advantages that will be derived to the owner or owners of the said lands, from the said railroad: *Provided*, That either party may appeal to the court, within thirty days after such report may have been filed in the prothonotary's office of the proper county, in the same manner as appeals are allowed by the provisions of the arbitration act of one thousand eight hundred and ten; and upon the coming in of such report, and the confirmation thereof, or upon final judgment on appeal therefrom, and the said company paying to such owner the sum in such report or judgment specified, in full compensation for said lands or for the injury sustained as aforesaid, the said company shall become seized of the same estate in the said lands which the owner held in the same, and they and all who act under them shall be acquitted and free from all responsibility, for and on account of such injury: *Provided*, That the payment of damages aforesaid, for land through which the said road may be laid, shall be made before the said company; or any person under their direction or in their employ shall be authorized to enter upon and break ground in the premises, except for the purposes of surveying and laying out said road, unless the consent of the owner of such land be first obtained: *And provided further*, The rule for damages and assessing the same apply to all property on either side of the street or streets on which the said railroad may be permitted to be laid down.

Proviso.

Proviso.

Proviso.

SECTION 16. That the said railroad shall be so constructed by the said company as not to obstruct or impede the free use and passage of any public road or public roads which may cross or enter at the same, being now laid out or hereafter to be laid out; and in all places where the said railroad may cross or in any way interfere with any public road, it shall be the duty of the said company to make, or cause to be made, a good and sufficient causeway or causeways, to enable all persons passing or traveling such public road to cross and pass over or under the said railway, which causeway or causeways shall be made and maintained by the said company; and if the said company shall refuse or neglect to make such causeway or causeways, or when

Construction of railroad. regulated.

made to keep the same in good repair, they shall be liable to pay a penalty of ten dollars for every day the same shall be neglected or refused to be made or repaired, to be recovered by the city of Philadelphia, with costs, as debts of like amount are by law recoverable, and shall, moreover, be liable to an action or actions, at the suit of any person who may be aggrieved thereby; and the service of process upon any officer or agent of said company, shall be as good and available in law as if served upon the president thereof.

Crossings over
railroads.

Proviso.

SECTION 17. That for the accommodation of all persons owning or possessing land through which the said railroad may or shall pass, and to prevent inconveniences to such persons in crossing or passing the same, it shall be the duty of the said company, when required, to make, or cause to be made, a good and sufficient causeway or causeways, wherever the same may be necessary, to enable the occupant or occupants of said lands to cross or pass over or under the same with wagons, carts and implements of husbandry, as occasion may require: *Provided*, That the said company shall in no case be required to make, or cause to be made, more than one such causeway through each plantation or lot of land, for the accommodation of any one person owning or possessing land through which the said railroad may or shall pass; and when any public road shall cross said road, the person owning or possessing land through which the said road shall pass, shall not be entitled to make such requisition on said company; and the causeway or causeways when so made, shall be maintained and kept in repair by said company; and if said company shall refuse or neglect to make such causeway or causeways, or when made to keep the same in good repair, the said company shall be liable to pay any person aggrieved thereby, all damages sustained by such person in consequence of such refusal or neglect, to be sued for and recovered before any magistrate or any court having cognizance thereof, and the service of process upon any officer or agent of said company, shall be as good and available in law, as if served upon the president thereof.

Suits

SECTION 18. That no suit or action shall be brought or prosecuted by any person or persons for penalties incurred under this act, unless said suit or action shall be commenced within six months next after the offence shall have been committed, or the cause of action shall have accrued; and the defendant or defendants in such suit or actions may plead the general issue, and give this act and the special matter in evidence, and that the same was done in pursuance and by authority of this act.

Lateral roads
authorized.

SECTION 19 That the company shall not prevent any person or persons from making such lateral railroads, and to connect them with said railroad, as the said person or persons may conceive necessary for the purpose of transporting their coal, merchandize or produce down or up the said road, they paying the usual tolls to the said company.

Railroad declared
a highway.

SECTION 20. That on the completion of the said railroad the same shall be esteemed a public highway, free for the transportation of all commodities; and the said company may charge and receive tolls and for freights on and for the transportation of goods, wares, coal and merchandize, at such rates that the net amount of such tolls shall not exceed twelve per centum per annum on the actual cost of said road: *Provided*, That every person or persons using the said road shall only use those

Proviso

carriages and wagons and conveyances which shall be adapted thereto; which said carriages, wagons and conveyances to be used thereon for the transportation of persons or commodities, shall be prescribed by the said company.

SECTION 21. That if any person or persons shall wilfully and knowingly break, injure or destroy the railroad basins or docks, or any part thereof, or any work, edifice or device, or any part thereof, to be erected by the said company, in pursuance of this act, he, she, or they, shall forfeit and pay to the said company three times the actual damages so sustained, to be sued for and recovered with costs of suit, in any court having cognizance thereof, by action of debt in the name and for the use of the said company. Penalty for injury to works.

SECTION 22. That if the president, managers and company shall not proceed to carry on said work within four years from passage of this act, and shall not complete the same as aforesaid in eight years, according to the true intent and meaning of this act; or if after the completion of the said road, the said corporation shall suffer the same to go to decay and be impassable for the term of two years, then this charter shall become null and void, except so far as compels said company to make reparation for damages. Commencement and completion of work

SECTION 23. That if any increase of the capital stock be necessary by the stockholders to complete the said railroad and improvements, and to purchase real estate for the purposes of this act, it may be lawful for the said company, at a stated or special meeting convened for the purpose, to increase the number of shares, so that the capital of said company shall not exceed one million five hundred thousand dollars; and to receive and demand the moneys for shares so subscribed, in like manner and under like penalties as are hereinbefore provided for the original subscription, or as shall be provided for by their by-laws; or to issue such stock in payment of any real estate necessary for the wharves, basins, docks, or improvements authorized to be made, or any part thereof. Increase of capital stock.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The ninth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 570.

AN ACT

To incorporate the Big Black Creek Improvement Company.

Corporators.

Style.

Privileges.

Subject to.

Reservation.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* H. B. Berryhill, James Lewis, A. G. Brodhead, junior, Philip Hoffaker, W. B. Mack and Joshua W. Woolston, their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name, style and title of the "Big Black Creek improvement company," and as such shall have power to take and hold land in the townships of Hazel, Butler, Harrison and Sugar Loaf, in the county of Luzerne, and to prove and open the veins of coal and other minerals on or in their land; to prepare the same to be worked and leased, and to lease the same; to erect schutes, breakers and screens; to construct a branch railroad and connect the same with any railroad now made or to be made within five miles of said lands; and the said Big Black Creek improvement company is hereby declared and made capable in law to sue and be sued, plead and be impleaded, to have a common seal, to sell and dispose of the product of their lands, to hold and convey such real and personal property, and to do all things necessary to promote the objects of this incorporation; and the said company shall have all the rights, powers and privileges, and be subject to all the restrictions, provisions and liabilities conferred and imposed upon the Swatara company by the second, third and fourth sections of the act incorporating the same, approved the sixth day of March, one thousand eight hundred and forty-nine: *Provided, That the said company shall elect five directors for the management thereof, and fifteen days' notice of said election shall be given in a newspaper published in Wilkesbarre.*

SECTION 2. That the legislature reserves the right to alter, amend or annul this charter at any time hereafter: *Provided, That no injustice be done to the corporators.*

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The twelfth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 571.

A N A C T

To incorporate the Lock Haven Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* L. A. Mackey, D. K. Jackman, Christopher Fallon, John S. Furst, Philip M. Price, John A. Gamble, Benjamin Myers, Abram Gratus, B. R. Petriken, Peter Dickenson, C. A. Mayer, James Irwin, Allison White, J. W. Quiggle, William Fearon and S. H. Fredericks, are hereby appointed and commissioned, and they or any them are authorized to carry into effect, from and after the passage of this act, the establishment of a bank, to be called the "Lock Haven Bank," to be located in Lock Haven, in the county of Clinton, with a capital of one hundred thousand dollars, with the right to increase the same to two hundred thousand dollars, to be divided into shares of fifty dollars each, and to be organized, managed and governed as is provided by the act regulating banks, approved April sixteenth, Anno Domini one thousand eight hundred and fifty, and the supplements thereto; and to be subject to all the restrictions and provisions, and with the immunities contained in the same.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 572.

A N A C T

To incorporate the Chattel Loan Company of Philadelphia.

WHEREAS, An association for the purpose of loaning money on deposits of chattels as security, at a rate of charge not exceeding legal interest, and the actual cost of insurance, storage and labor, would be a charity tending to the benefit and relief of necessitous and meritorious persons who are frequently obliged or induced to pledge their chattels at exorbitant rates; therefore,

Preamble

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Caleb Johnson, Stephen Colwell, John W. Claghorn, Samuel V. Merrick, Isaac Collins, Joseph D. Brown, George N. Eckert, Thomas Allibone, Alexander Fullerton, Paul T. Jones, William A. Porter, Henry J. Williams, William Welsh, Frederick A. Pacard, William Richardson, David L. Brown, Caleb Cope, Morton M. Michael, John A. Brown, Morris Patterson, Ephraim Clark, junior, William Betz, John M. Atwood, Charles S. Wurts, John Grigg, William P. Hacker, Oswald Thompson, Mordecai D. Lewis, John M. Odenheimer, Isaac Elliott, Samuel Simmons, Joseph M. Stoddart, George J. Gross, Edward T. Mott, John Miller, M. W. Woodward, Charles H. Smith and their associates and successors shall forever be and they are hereby erected and made a body politic and corporate, in deed and in law, by the name, style and title of the Chattel loan company, and by that name shall have perpetual succession, and be capable in law to have and to use a common seal, and may sue and be sued, plead and be impleaded, and generally to do all such things as are incident to a corporation and necessary to carry into effect the provisions of this act, and to promote the object and design of said corporation.

SECTION 2. That the general business and object of this corporation shall be to loan money to meritorious and necessitous applicants, on goods and chattels deposited by them with the corporation as collateral security, at a charge or rate per cent. not exceeding legal interest and the actual cost for insurance, storage and labor on such deposits.

SECTION 3. That the above named persons, or a majority of them, shall, at their first meeting, elect a board of fifteen managers, to direct and manage the business of the said corporation; the said managers shall have power, from time to time, to make and establish by-laws, rules and regulations relative to the elections, duties, functions, times of service, and number of managers and their successors, and the appointment of subordinate officers and agents, and generally for organizing, managing and transacting the affairs of the corporation, and to procure suitable offices and store houses: *Provided*, That such by-laws and regulations are not repugnant to the constitution or laws of this state, or of the United States, or to this act; and that the legislature shall have the power to revoke or annul this act, if the said corporation shall misuse or abuse the privileges hereby granted.

SECTION 4. That no manager or officer of said corporation, as such, shall, directly or indirectly, receive any payment or emolument for his services, except accountants and laborers, but the corporation may pay to the members or subscribers an interest of six per centum per annum on the sums invested by them respectively; each of the above named persons shall be entitled to one vote in elections, and any subscriber to the amount of one hundred dollars or more, shall be entitled to a like vote for each one hundred dollars subscribed and paid in by him, and shall only be entitled to withdraw his subscription, or any part thereof, by procuring a substitute for that amount.

SECTION 5. That any moneys loaned by the said corporation may be repaid with the interest accrued, and the necessary charges, at the option of the borrower, and upon full payment

Corporators.

Style.

Privileges.

Objects of the corporation.

Managers.

By-laws.

Officers.

Proviso.

Managers and officers to receive no pay

Interest on investments.

Votes.

Repayment of loans.

the deposit or pledge shall be returned: *Provided*, That the same, if not redeemed within six months after the loan, may be forfeited and sold at public auction: *Provided further*, That payments on account shall be received and credited to the borrowers, which payments, if not in full, shall not postpone or defeat the forfeiture or right to sell: *And provided also*, That no loan shall continue beyond the period of eighteen months. Proviso.

SECTION 6. That any surplus that shall remain at the end of each year, arising from the charge to borrowers, shall be appropriated to the relief of those having chattels unredeemed, as of that year, in such proportions, and to such persons as to the managers may seem most fit; and the proceeds of all sales of forfeited goods or chattels shall enure to the benefit of the respective depositors, who shall be entitled to receive the balance of such proceeds after the necessary deductions for the reimbursement of the corporation: *Provided*, That if the said balance be not claimed or applied for within twelve months after the sale, it shall be appropriated to the surplus fund for the relief of those having unredeemed pledges. Surplus fund.
how appropriated
Proviso.

SECTION 7. That the books, papers and business of the said corporation shall at all times be open for the inspection of the governor of the commonwealth, the judges of the court of common pleas for the city and county of Philadelphia, and the mayor of said city, and subject at all times to the supervision of said court. Inspection of
books, &c.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 573.

A N A C T

To incorporate the Trustees of the Presbyterian House.

WHEREAS, The general assembly of the Presbyterian church in the United States of America, which held its session in the First Presbyterian church, on Washington square, in the city of Philadelphia, in May, Anno Domini one thousand eight hundred and fifty-four, did appoint John A. Brown, Samuel H. Perkins, Charles S. Wurts, Matthew W. Baldwin and John C. Farr trustees of the Presbyterian publication house, and recommended that the said board obtain an act of incorporation under the laws of this state, and that the said act should contain a general provision authorizing the said trustees to hold in trust, Preamble.

for said assembly, any property committed to them by donations, bequests or otherwise:

And whereas, Several gentlemen in the city of Philadelphia, feeling the necessity of some suitable place for the business of the societies and churches connected with the said assembly, purchased a property for that purpose, which they are desirous of conveying to the said trustees:

And whereas, The said trustees will labor under serious disadvantages as to receiving and holding the title of said property, as well as any that may be committed to them by donations, bequests or otherwise, in trust for said assembly; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That John A. Brown, Samuel H. Perkins, Charles S. Wurts, Matthew W. Baldwin and John C. Farr, citizens of the United States and of this commonwealth, and their successors, are hereby constituted and declared to be a body politic and corporate, by the name of "The trustees of the Presbyterian house," and as such shall have perpetual succession, and be able to sue and be sued, and to purchase and receive, take and hold to them and their successors forever, lands, tenements and hereditaments, goods, money and chattels, and all kinds of property and estate which may be devised, or bequeathed, or given to them, or to the said assembly for them, and the same to sell, alien, demise and convey; also, to make a common seal, and the same to alter and renew at their pleasure; and also to make such rules, by-laws and ordinances as may be needful for the government of said corporation, and not inconsistent with the constitution and laws of the United States and of this state: *Provided always*, That the clear yearly income of the real estate held by the said corporation shall not, at any time, exceed the sum of five thousand dollars.

Incorporators.

Style

Privileges

Proviso.

Terms of office of trustees.

SECTION 2. That the trustees above named shall hold their office till the first day of June, Anno Domini one thousand eight hundred and fifty-five, and until their successors are duly qualified to take their places, who shall be chosen by the said assembly and their successors, who may at any annual meeting increase the number of said trustees to ten, if in their judgment the interest of the churches under their care requires it.

Election of trustees

SECTION 3. That the said assembly and their successors shall, at their annual meeting in each and every year, wherever held, elect at least five trustees, who shall hold their office for one year, and until their successors are elected and qualified: *Provided*, That the said corporators shall be citizens of Pennsylvania.

Trustees subject to general assembly.

SECTION 4. That the trustees hereby incorporated, and their successors, shall be subject to the direction of the said assembly and their successors, have full power to manage all funds, property and effects committed to their care, by gift, purchase, bequest or otherwise, and to execute any trusts confided to them by the said general assembly or their successors, in such manner as shall be deemed most advantageous, and not contrary to law or the intention of the donor or testator.

Repeal.

SECTION 5. That the act, entitled "An Act to incorporate the trustees of the Constitutional Presbyterian publication house," approved the thirteenth day of April, Anno Domini one thou-

sand eight hundred and fifty-five, be and the same is hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 574.

AN ACT

To incorporate the Monongahela Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* James Salisbury, David Chess, James M. M'Elroy, Christian Ihansen, Thomas M'Kee, Alexander M'Lain, John D. Miller, Daniel Berg, Henry J. Metz, John Evans and R. A. Bausman, Commissioners of the county of Allegheny, or any three of them, are hereby appointed commissioners, to perform the several things hereinafter mentioned; that is to say, they shall procure a suitable book or books, and therein enter as follows: "We whose names Their duties. are hereunto subscribed, do promise to pay to the Monongahela water company, the sum of twenty-five dollars for every share of stock set opposite to our respective names, in such manner and proportions, and at such times as shall be determined by the president and managers of said company, in pursuance of an act of the general assembly of the commonwealth of Pennsylvania, entitled "An Act to incorporate the Monongahela water company." Witness our hands and seal this day of _____, Anno Domini one thousand eight hundred and _____; and shall thereupon give notice in two newspapers published in the county of Allegheny, for two weeks at least, of the time and place or places, when and where the said book or books shall be opened to receive subscriptions to the stock of the said company; at which time and place or places, one or more of the said commissioners shall attend, and furnish to all persons duly qualified who shall offer to subscribe, an opportunity of so doing; and it shall be lawful for all such persons, and for all firms and co-partnerships by themselves, or by persons duly authorized, to subscribe for shares in said stock; and the said book or books shall be kept open for the said purpose, at least six hours in each juridical day, for the space of three days, or until there shall have been subscribed four thousand shares; and if at the expiration of three days as aforesaid,

Proviso.

the said book or books shall not have the number of shares aforesaid therein subscribed, the said commissioners may adjourn from time to time, or go elsewhere with the books and procure subscriptions, as the occasion may require; and when the whole number of shares shall have been subscribed, the book or books shall be closed: *Provided*, That every person offering to subscribe in said book or books in his own name, or in the name of any other person or firm, shall, at the time of subscribing, be required to pay to the attending commissioner or commissioners, one dollar on each share; and the money so received by said commissioner or commissioners, and the expenses attending the taking of said subscriptions, and other incidental charges, being first deducted therefrom, shall be paid over to the treasurer of the said company as soon as the same shall be organized.

Letters patent.

Style.

Privileges.

SECTION 2. That when five hundred shares of stock shall have been subscribed, the commissioners who have acted, or a majority of them, shall certify to the governor, under their hands and seals, the names of the subscribers, and the number of shares subscribed by each, and the amount paid on each share, whereupon the governor shall, by letters patent under his hand and the seal of the commonwealth, create and constitute the subscribers, and if the subscription be not full at the time, those who shall thereafter subscribe to the number of shares aforesaid, their successors and assigns, into a body politic and corporate in deed and in law, by the name, style and title of "The Monongahela water company;" and by the said name, style and title, the subscribers shall have perpetual succession, with all the privileges, immunities and franchises incident to a corporation; and be able to sue and be sued, implead and be impleaded in all courts of record and elsewhere; and to purchase, receive, have, hold, use and enjoy to them and their successors, goods, chattels and estate, real and personal, of what kind and nature soever, and the same from time to time to sell, exchange, mortgage, grant, alien, or otherwise dispose of; and to make dividends of such part of the profits as they may deem proper; and also to make and have a common seal, and the same to alter or renew at pleasure; and also to ordain, establish, and put in execution such by-laws, ordinances and regulations, as shall appear necessary or convenient for the government of said corporation, not being contrary to the constitution and laws of the United States, or of this commonwealth; and generally to do all and singular the matters and things which to them it shall lawfully appertain to do for the well being of said corporation, and the due management of the affairs thereof: *Provided*, That nothing herein contained shall be construed as, in any way, giving to said corporation any banking privileges, or any other privileges, liberties or franchises, but such as may be necessary, convenient, or incident to the distribution and supplying of water to the citizens of the boroughs of Birmingham, East Birmingham and South Pittsburg, as hereinafter mentioned: *Provided further*, That the said company shall, at no time, hold or possess any land for any other purpose than the construction thereon of the necessary works and offices of the company.

Proviso.

Proviso.

Organization.

SECTION 3. That when letters patent shall have been obtained the commissioners aforesaid, or such of them as shall have acted, shall appoint a time and place for the subscribers to meet to organize the company, and shall give at least two weeks' no-

tice thereof, in the manner provided for in the first section of this act; and the subscribers, when met, shall elect by a majority of the voters present, to be given in person or by proxy, a president and eight managers, who shall manage and conduct the business of the company until the first Tuesday in May thereafter, and until like officers are chosen.

SECTION 4. That the stockholders shall meet on the first Tuesday in May in every year, at such place as may be fixed on by the by-laws, of which meeting notice shall be given by the secretary in the manner provided for in the first section of this act, and choose by a majority of the voters present, to be given in person or by proxy, a president and eight managers for the ensuing year, who shall continue in office until the next annual election, and until others are chosen; the stockholders may also meet at such other times and places as they may be summoned by the president and managers, in such manner and form and giving such notice as may be prescribed by the by-laws, at which annual or special meeting the stockholders shall have power to make, alter or repeal, by a majority of votes given, all by-laws, orders or regulations, and to do and perform every other corporate act: *Provided*, That the president, on the request in writing of any number of stockholders, representing in the aggregate not less than one hundred shares, shall call a special meeting of the stockholders, giving such notice as may be prescribed by the by-laws, and stating specifically the objects of the meeting; and the objects stated in said notice, and no other, shall be acted on at such special meeting.

Annual meetings.

Election of president and directors

Proviso.

SECTION 5. That the election of officers provided for in this act shall be conducted in the following manner, to wit: at the first election the commissioners shall appoint two stockholders to be judges of said election, shall hold the same, and at every subsequent election the managers for the time being shall appoint two stockholders for the like purpose, and the persons so appointed by said commissioners or managers shall not be eligible to an election as president or manager at such election, and shall respectively take and subscribe an oath or affirmation, before an alderman or justice of the peace, well and truly and according to law to conduct such election to the best of their knowledge and ability; and the said judges shall decide upon the qualification of voters, and when the election is closed shall count the votes; and the stockholders having the highest number of votes shall be declared duly elected; and if it shall happen that an election of president or managers shall not be made the corporation shall not for that cause be deemed to be dissolved, but it shall be lawful to hold and make such election of president or managers on the same day or any day thereafter, the secretary giving notice of the time and place of holding said election in the manner provided in section first; and the president and managers of the preceding year shall in that case continue to act and be invested with all powers belonging to their respective stations, until an election shall take place; and in case of the death or resignation, or removal from the state, of any president or manager, or a failure to elect, in case of a tie vote, the vacancy shall be filled by the board of managers until the next annual election; at all elections by the stockholders, and upon all questions submitted to any annual or special meeting of stockholders, each share of stock shall entitle the holder thereof to one vote: *Provided*, That no person shall

Manner of conducting election.

Vacancies.

Proviso.

be permitted to vote at the first election of said company, unless he or she has paid one dollar on each share of stock by him or her subscribed; and at all subsequent elections, and at the annual or special meetings of the stockholders, no person shall be permitted to vote unless he or she shall have fully paid all the instalments called for and then due on the shares by him or her subscribed: *Provided further*, That none but stockholders shall be eligible to be elected president or managers.

Proviso.

Powers of president and directors

SECTION 6. That the president and managers of said company, for the time being, are hereby authorized to exercise all the powers granted to the corporation; they shall meet at such times and places as shall be deemed most convenient for the transaction of their business, and when met, five shall be a quorum to do business, and in the absence of the president may choose a president *pro tempore*; they shall keep minutes of their proceedings, fairly entered in a book; they shall choose a secretary and treasurer for the current year, and a quorum being formed, they shall have power to purchase land for the necessary works and offices of the company, and erect the same; to appoint all such architects, surveyors, superintendents and other artists and officers as they may deem necessary to construct and carry on the intended water works, and to fix their salaries and wages; to enter into and execute contracts and covenants in relation to the objects of said incorporation, and to enforce the same; to draw orders on the treasurer for moneys, which orders shall be signed by the president, or, in his absence, by the president *pro tempore*, and countersigned by the secretary, and generally to do all such other acts, matters and things as by this act and the by-laws and regulations of the company they may be authorized to do.

Objects and powers of company.

SECTION 7. That said company shall have power to raise and introduce into the boroughs of Birmingham, East Birmingham and South Pittsburg, in the county of Allegheny, a sufficient supply of Monongahela river water for the use of the inhabitants of said boroughs; and for this purpose the said company shall have full authority to provide, erect and maintain all necessary and proper buildings, works, machinery and reservoirs, and to convey water from said river, in conduit pipes or otherwise, through any public or private grounds, roads, streets or alleys, to the reservoir or reservoirs of said company, and the same to distribute, by conduit pipes or otherwise, for the use of the inhabitants of said boroughs; and for said purposes the said company shall at all times have authority, by themselves or their agents, to enter upon, dig and lay pipes in and through all lands, grounds and enclosures, public or private, and also shall at all times have liberty to dig and lay pipes in and along the streets, roads and highways of the said boroughs, shutting up and mending as soon as possible any breaches which they may make, and the said pipes, wheresoever laid, to renew and repair as circumstances may require; and it shall be lawful for said company to enter into and appropriate to their use any land, whether situate in the said boroughs or in the township of Lower Saint Clair, which may be necessary for the location of the aforesaid buildings, works and reservoirs: *Provided*, That before said company shall take possession of any lands which they may appropriate for the site of their aforesaid buildings, works and reservoirs, they shall make compensation to the owner or owners, or tender adequate security therefor.

Proviso.

SECTION 8. That if the said company cannot agree with the owner or owners of any lands appropriated to the use of said company, as aforesaid, or through which said company may have laid their pipes, as to the compensation which should be paid to said owner or owners, or if by reason of absence or legal incapacity the said company cannot treat with said owner or owners, the company or said owner or owners, or some one on behalf of either may apply to the court of common pleas of Allegheny county by petition, and it shall be the duty of said court to appoint three disinterested persons to view and assess the damages sustained by the said owner or owners, or which may probably be sustained in the prosecution of said work, and it shall be the duty of the person so appointed to meet upon the premises on a day to be fixed by the court, of which meeting ten days' notice shall be given by the petitioners to the other party, and to each of the viewers, and the said viewers having been first duly sworn or affirmed to do impartial justice between the parties, according to the best of their judgment and abilities, shall proceed to view the premises with regard to the damage and injury complained of, and taking into consideration the advantages and disadvantages likely to result to said owner or owners from the location and construction of said works through or upon their land, shall make report to the said court of the amount of damages so found and assessed by them to said owner or owners, if any, and if the said report shall be approved by the court, judgment shall be entered thereon in favor of said owner or owners, for the amount of the damages so assessed; and the same shall be collected as other debts: *Provided*, That the costs of such proceeding shall be paid by the company. Assessment of damages.

SECTION 9. That when the company shall pay to the said owner or owners of any lands the full amount of damages found and assessed, according to the provisions of the eighth section of this act, for the lands occupied by said company in the construction of their works, the said company shall be entitled to have and hold said lands so paid for, to them, their successors and assigns, as fully to all intents and purposes as if the same had been conveyed to said company by the agreement of the parties. Rights of company on payment of damages.

SECTION 10. That the president and managers first chosen shall procure certificates or evidences of stock for all the shares of the said company, and shall deliver one or more certificates or evidences signed by the president and countersigned by the secretary, and sealed with the common seal of the said corporation, to each person or party entitled to receive the same according to the number of shares by him, her or them, respectively subscribed or held, which certificates or evidences of stock shall be transferable at the pleasure of the holder, in a suitable book or books to be kept by the company for that purpose, in person or by attorney duly authorized in the presence of the president or secretary; subject, however, to all payments due or to become due the con; and the assignee or party to whom the same shall have been transferred, shall thereupon be a member of said corporation, and shall have and enjoy all the immunities, privileges and franchises, and be subject to all the liabilities, conditions and penalties incident thereto, in the same manner as the original subscriber would have been: *Provided*, That no certificate shall be transferred so long as the holder thereof is indebted to said company, unless the president and Certificates of stock.

managers shall consent thereto; and no such transfer of stock shall have the effect of discharging any liabilities or penalties theretofore incurred by the owner thereof.

Capital stock.

SECTION 11. That the capital stock of said company shall be divided into shares of twenty-five dollars each, and shall be called in and paid in such proportions and at such times and places as the president and managers may determine, of which public notice shall be given for at least two weeks next preceding the time or times appointed for that purpose, in the manner before mentioned; and if any subscriber or his assignee, shall neglect to pay such proportion at the time and place appointed, he, she, or they shall be liable to pay in addition, at the rate of one per centum a month for the delay of payment; and if the same and the additional penalty, or any part thereof, shall remain unpaid for the period of three months, he, she, or they shall at the discretion of the president and managers, forfeit to the use of the company all right, title and interest in and to every and all share or shares on account of which such default in payment may be made, or the president and managers may at their option cause suit to be brought before any competent tribunal, for the recovery of the amount due on such shares, together with the aforesaid penalty; and in the event of a forfeiture, the share or shares so forfeited, may be disposed of in the manner prescribed by the by-laws: *Provided*, That the president and managers shall not call for instalments oftener than once in every thirty days, and not more than five dollars per share shall be called for at any one time.

Proviso.

Fire plugs.

SECTION 12. That the president and managers of the said company may in such streets, alleys and highways of the aforesaid borough, where pipes shall be laid down, erect fire plugs or hydrants, to be used solely for extinguishing fires and cleansing the streets, alleys and highways, for a reasonable compensation, to be agreed upon between the said president and managers; and the proper authorities of the respective boroughs aforesaid, and the said company, shall at all times where trunks and pipes shall be laid, in or through any of the streets, alleys and highways of said boroughs, suffer individuals to be supplied with water for domestic use and such other uses as the president and managers shall permit, for such reasonable compensation and upon such terms as shall from time to time be agreed on by said president and managers and such individuals, according to such uniform rates as said president and managers shall hereafter from time to time adopt; regard being had to the probable quantity of water which applicants are likely to consume; and any person or persons within the said boroughs, who shall take any of said water or domestic or other uses, without having previously contracted for the same with the said president and managers, or after such contract has expired or been annulled, shall forfeit and pay for every such offence the sum of ten dollars to the president and managers for the use of the company, to be recovered before a justice of the peace by action of debt or assumpsit, in the same manner as other debts are recoverable.

Use of water to be granted.

Collection of water charges.

SECTION 13. That if any person or persons shall neglect to pay their water rents according to the terms of their contract with the said company, the same may be recovered by action as debts of a like amount are recoverable.

SECTION 14. That the said company shall have power, from ^{May borrow} time to time, to borrow money to an amount not exceeding ^{money.} thirty thousand dollars, and to make and execute a mortgage or mortgages, pledge or pledges of the property and effects of said corporation, for the security of the repayment of the amount borrowed, or give such other evidences of indebtedness as may be agreed upon: *Provided*, That no bond or other evidence of ^{Proviso.} loan shall be issued for a less sum than one hundred dollars.

SECTION 15. That the aforesaid boroughs of Birmingham, East Birmingham and South Pittsburg, or either of them, are ^{Certain corporations may subscribe.} hereby authorized to subscribe to the capital stock of the said company, not exceeding eight hundred shares respectively, the same to be subscribed by the proper authorities of the said boroughs respectively; and they are hereby respectively authorized to borrow money to pay therefor, and to make provision for the payment of the principal and interest of the money so borrowed, as in other cases of loans to said boroughs; and the said boroughs are respectively authorized to issue their bonds to the amount of their respective subscriptions to said stock, in sums of not less than one hundred dollars each, bearing interest, payable semi-annually, which bonds may be received by said company in payment of the stock subscribed, as aforesaid, and the said bonds shall be made payable at such times as may be agreed upon between the said company and the authorities of the respective boroughs: *Provided*, That for every four hundred ^{Proviso.} shares subscribed by either of the aforesaid boroughs of Birmingham, East Birmingham or South Pittsburg to the capital stock of said company, the borough so subscribing shall, by its town council, annually appoint one manager of said company, and in that event the elections by the stockholders shall be confined to the president and the other remaining managers, and other stockholders shall alone have power to vote at such elections.

SECTION 16. That when the Monongahela water company shall have erected their works, and the same are in operation, the ^{Property to vest in loan company.} property thereof shall be vested in the said company, and their successors and assigns, during and unto the end of forty years, to commence from the time when said company shall first begin to distribute water to the citizens of either of said boroughs: *Provided*, That when the moneys and revenue received by the ^{Proviso.} said Monongahela water company shall exceed twelve per centum net annual profit, the excess shall compose a fund for the redemption of the property owned by said Monongahela water company; and if at the expiration of the forty years aforesaid, the amount of the said fund shall be found adequate to the redemption of the said water works, (providing at the same time for its repairs,) then the said company shall be obliged to take such sum of money therefor as shall be allowed, on a fair appraisement by five disinterested persons, to be appointed by the court of common pleas of the county of Allegheny, and the property of the said corporation shall then be vested in the burgess and town council of either or all of said boroughs, or the existing authorities at that time and their successors forever; but if the said property shall not be redeemed and paid for at the expiration of said term of forty years, the said Monongahela water company may and shall continue to hold the same, on the

terms of this act, beyond the said term, and until the same shall be redeemed and paid for in the manner herein directed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK

No. 575.

A SUPPLEMENT

To the act incorporating the Cornwall and Phoenixville Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time specified for commencing and completing the Cornwall and Phoenixville railroad, incorporated by act of assembly, approved the twenty-first day of April, Anno Domini one thousand eight hundred and fifty-two, be and the same is hereby extended for the term of five years, from the time of the expiration of said charter.

SECTION 2. That the seventh section of the aforesaid act, be and the same is hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

Time for commencement and completion extended.

Repeal.

No. 576.

AN ACT

To incorporate the Broad Top Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* John M'Canles, Henry D. Moore, John B. Myers, Wm. P. Schell, Wm. T. Daugherty, Henry K. Strong, J. R. Flanigen, Jno. M. Odenheimer, F. W. Hughes, and such other equitable owners of certain lands in Huntingdon, Bedford and Fulton counties, as are held in trust by John M'Canles, their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name, style and title of the "Broad Top improvement company," and as such shall have power to take and hold land and real estate in fee simple, in the counties of Huntingdon, Bedford and Fulton, and to prove and open the veins of coal and other minerals on or in their lands, and to prepare the same for being worked and leased, with power to lease the said lands or any portion thereof.

Corporators.

Style.

SECTION 2. That the capital stock of the said company shall not exceed twenty thousand shares, at fifty dollars each; and the said company is hereby declared and made capable in law, to sue and be sued, implead and be impleaded, to have a common seal, to hold and convey such real and personal property as may be necessary to promote the objects of their incorporation, and to sell and dispose of the products of their lands. It shall also be lawful for the said company to construct such lateral or branch railroads as may be necessary to connect any of their lands, with the main stem or branches of the Huntingdon and Broad Top Mountain railroad company.

Capital stock.

Branch railroads.

SECTION 3. That the affairs of the said company shall be managed and conducted by a board of directors, to consist of nine persons, who shall be elected by the stockholders, on the first Tuesday in January, of each and every year, and who shall elect one of their number as president; but if, for any cause, the election of directors as aforesaid, does not take place, it shall be competent to elect the same at any other time after two weeks' public notice shall have been given; and in all elections of stockholders each share of stock shall entitle the holder to one vote.

Directors and their election.

SECTION 4. That this act shall continue in force for the period of twenty years from the time of its passage.

Limitation.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 577.

AN ACT

To incorporate the Ephrata Mountain Springs Association.

Commissioners.

Duties.

Capital stock.

Letters patent.

Sayer

Privileges.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Joseph B. Myers, Adam A. Konigsmacher, Christian Smith, Isaac E. Hiester, George M. Steinman, Jeremiah Bauman, Joseph Konigsmacher, John B. Myers, William Carpenter, Thomas Allibone, Nathan P. Brower, George Martin, George Boldin, James Buchanan and Adam Konigsmacher, or any three or more of them, be and they are hereby appointed commissioners, to do and perform the following duties, that is to say: they shall at such time or times, place or places, and upon such notice as they may deem expedient, open books for the purpose of receiving subscriptions to the capital stock of the association incorporated by this act; and they may adjourn from time to time, and to such places as they may deem proper, until the whole amount of stock authorized by this act, shall be subscribed; and if the whole amount of said stock shall not have been taken before the organization of said association, it shall be lawful for the president and directors, for the time being, to receive such subscriptions of stock until the whole amount thereof shall be taken.

SECTION 2. That the capital stock of said association shall be two hundred thousand dollars in shares of one hundred dollars each, certificates whereof shall be issued to the subscribers for the number of shares by them respectively subscribed, signed by the president, countersigned by the secretary, and sealed with the common seal of said corporation; which stock shall be transferable in person or by attorney, executors, administrators, guardians or trustees, under such regulations and restrictions as may be provided by the by-laws.

SECTION 3. That when twenty per centum on said capital stock shall have been subscribed, and five dollars on each and every share thereof shall have been paid, the commissioners aforesaid, or such of them as shall have acted, shall certify to the governor under their hands and seals the names of the subscribers, the number of shares subscribed by each, and that five dollars on each share have been paid, whereupon the governor shall by letters patent under his hand and the seal of the commonwealth, create and constitute the said subscribers and those that may thereafter be associated with them, their successors and assigns, into a body politic and corporate, in deed and in law, by the name, style and title of the Ephrata Mountain springs association, and by that name to have perpetual succession with all the privileges, franchises and immunities incident to a corporation, and may sue and be sued, implead and be impleaded, complain and defend in all courts of law and equity, of record or otherwise, may make, have and use a common seal, and the same may alter and amend at pleasure, may ordain such by-laws, ordinances and regulations as may be necessary and con-

venient for the proper government of said corporation, the same not being contrary to the constitution of the United States and this commonwealth; and generally may do all and singular the matters and things necessary for the well being and due management of said corporation; and also as such shall have power to purchase the watering place known as the Ephrata Mountain springs, and the land and appurtenances thereto belonging, and make such improvements to and upon the same, as to said corporation may seem expedient and proper.

SECTION 4. That as soon as conveniently may be after the said letters patent shall be obtained, the said commissioners who may have assumed the duties mentioned in this act, or any three of them, shall appoint a time and place for the subscribers to meet for the purpose of organizing the association, giving at least three weeks' notice thereof, in at least two newspapers published in the city of Lancaster, and one published in the city of Philadelphia, and the subscribers, when met at the time and place so appointed, shall elect, by a majority of the votes given in person or by proxy, a president and six directors, who shall manage the affairs and business of the association until the first Monday of July then next ensuing, and until others be chosen: *Provided*, That no person shall be eligible to the office of president or director who does not own at least five shares of stock: *And provided further*, That in case of the death or resignation of the president or any director, the remaining directors may supply the vacancy until the next annual election.

SECTION 5. That the president and directors of said association, for the time being, are hereby authorized and empowered to exercise all the powers granted to the corporation, they shall meet at such times and places as they may deem most convenient for the transaction of their business, and when met, four shall be a quorum; the president, if present, shall preside at all meetings, and have the right to vote only in case of a tie; in the absence of the president the board shall appoint a president *pro tem.*, they shall keep a minute of their proceedings in a suitable book to be provided for that purpose, shall choose a secretary and treasurer, and may appoint and employ all such officers, agents, superintendents, artizans, workmen and other persons, as in their opinion may be necessary and proper, in the management of the affairs and business of said association, at such times, in such manner, and under such regulations as they may determine; they shall fix the salaries and wages of such officers and persons employed by them, and may require bond with security, in such sums as they may deem proper, of each and any of said officers or other persons by them appointed or employed, for the faithful discharge of their duties; they are also authorized to design, determine and contract for any improvements they may deem necessary for the accommodation of visitors, or the adornment of the ground, and to lease the property belonging to the corporation to such lessee or lessees, for such term or terms, and at such annual or other rents as may be determined by the board, and generally may do all such acts, matters and things, as by this act, and the by-laws of the association, they may be authorized to do.

SECTION 6. That dividends of so much of the profits of the company as shall appear advisable to the directors, shall be declared and paid to the stockholders or their representatives, at such times and places as may be provided by the by-laws.

Elections.

SECTION 7. That the elections for directors shall be conducted as follows, to wit: At the first election the commissioners who have acted, or any three of them, shall appoint three stockholders, not being candidates, to be judges of the said election, and to hold the same, and at every succeeding election the directors for the time being shall appoint three stockholders, who shall not be directors nor candidates, for the like purpose, and the persons so appointed by the commissioners or directors, shall respectively take and subscribe an oath or affirmation before any officer competent to administer an oath, well and truly and according to law, to conduct such election to the best of their knowledge and ability; and the said judges shall decide upon the qualifications of voters, and when the election is closed, shall count the votes and declare who have been elected, and certify the same, at the first election, to the commissioners who appointed them, and at all subsequent elections, to the directors; and if at any time it shall happen that an election of directors shall not be held at the time specified, the corporation shall not for that reason be dissolved, but it shall be lawful to hold such election on any day within three months thereafter, by giving at least ten days' previous notice of the time and place of holding such election, in at least one paper published in the city of Lancaster, and the directors of the preceding year shall in that case continue in office, with all the powers belonging to them as such, until others are elected; each share of stock shall entitle the holder thereof to vote, and each ballot shall have endorsed thereon the number of shares thereof represented; no proxy shall be received or entitle the holder to vote at any election or general meeting, unless the same shall bear date and have been duly executed within three months next preceding such election or general meeting.

Annual elections.

SECTION 8. That the annual election of president and directors of said association shall be held at such place as may be fixed by the by-laws, on the first Monday of July in every year, of which notice shall be given by the secretary, at least two weeks previously, in at least one paper published in the city of Lancaster.

By-laws.

SECTION 9. That the stockholders of said association shall have power, at any general meeting for the election of president and directors, or any meeting called for the purpose, to alter or amend the by-laws enacted by the board of directors: *Provided*, That notice of the proposed alterations and amendments shall have been given, by publication, for six weeks previous to said meeting, in at least one paper in the city of Lancaster.

Proviso.

Reservation.

SECTION 10. That the legislature hereby reserve the right to alter, revoke or annul the privileges and charter hereby granted, whenever the same shall become injurious to the citizens of this commonwealth; in such manner, however, that no injustice shall be done to the corporators.

Repeal.

SECTION 11. That the act incorporating the Ephrata Mountain springs, approved the eighteenth day of April, one thousand eight hundred and fifty-three, be and the same is hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five. JAS. POLLOCK.

No. 578.

AN ACT

To incorporate the National Mutual Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James Devereux, Edward G. James, William M. Godwin, Charles S. Carstairs, Benjamin M. Bunker, George H. Hart, James L. Taylor, Archibald Getty, William D. Sherrerd, George C. Harvey, Isaac Jeanes, Mahlon Williamson, James S. Young, Henry M. Parrott, William Taylor, James Steel, Benjamin B. Craycroft, Robert Burton, junior, John Bennett and James T. Crabb, of the city Philadelphia, or a majority of them, and such persons as they may associate with them, be and they are hereby incorporated as a body politic and corporate in law, and as such shall have perpetual succession, under the name and style of the National mutual insurance company of Philadelphia, with a capital of five hundred thousand dollars; and shall have authority to use a common seal, and the same to break, alter or renew at pleasure; and shall have authority to make such by-laws and regulations as may seem to them necessary for the good government of said company, not being contrary to the constitution of the United States and the laws of this commonwealth; and shall have all the powers, privileges and immunities, and be subject to all the restrictions contained in the act of assembly, approved the fourteenth day of April, one thousand eight hundred and fifty-one, entitled "An Act to incorporate the Western insurance company" of the city of Philadelphia, and also of the amendment to said act, passed May sixth, one thousand eight hundred and fifty-two.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 579.

AN ACT

To incorporate the Pittsburg Dollar Savings Institution.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Corporators.

George Albree, William J. Anderson, Alexander Bradley, Albert Culbertson, Robert Morrow, J. Gardiner Coffin, Alonzo A. Carrier, Charles A. Colton, Francis Felix, John Fullerton, Joseph P. Gazzam, M. D., George F. Gilmore, Hopewell Hepburn, James W. Hailman, James S. Hoon, William S. Haven, John Harper, James Herman, William F. Johnston, John M. Kirkpatrick, Charles Knap, A. W. Loomis, Joseph S. Leech, James K. Morehead, N. Grattan Murphy, Samuel M'Clurkan, James D. M'Gill, William Philips, Isaac M. Pennock, Henry L. Ringwalt, John H. Shoenberger, George S. Selden, James Shidle, John Scott, Alexander Tindle, George R. Riddle, Robert Chester, George R. White and Theobald Umbstaetter, and their successors forever, shall be and they are hereby erected and made one body politic and corporate, in deed and in law, by the name, style and title of the Pittsburg Dollar savings institution, and by the same name shall have perpetual succession, and also make, have and use a common seal; shall and may sue and be sued, plead and be impleaded, answer and be answered, defend and be defended in all courts of law within this commonwealth, and elsewhere, and to be located in such part of the city of Pittsburg, county of Allegheny and state of Pennsylvania, as they may deem proper.

Style.

Privileges.

Location.

Real estate.

SECTION 2. That the real estate which it shall be lawful for the said corporation to purchase, hold and convey, shall be

I. Such as may be requisite for its accommodation for the convenient transaction of its business.

II. Such as shall have been mortgaged to it in good faith, for moneys loaned in pursuance of the provisions of this act.

III. Such as shall have been purchased at sale upon judgments or decrees obtained or rendered for moneys so loaned; and the said corporation shall not purchase, hold or convey real estate in any other case, or for any other purpose, and all such real estate as is described in the second and third subdivisions of this section, may be sold by the said corporation at any time they may deem expedient, after the same shall be vested in it by purchase or otherwise.

Trustees not to receive pay.

SECTION 3. That the trustees of said corporation shall not as such, directly or indirectly, receive any payment or emolument for their services.

Business, how managed.

SECTION 4. That the business of the said corporation shall be managed and directed by the said board of trustees, who shall, as soon as practicable after the passage of this act, and annually thereafter, on the third Monday in January, elect from their number a president, twelve vice presidents, and such other officer and officers as they may deem proper; six of said trus-

Officers.

tees shall form a quorum for the transaction of business, and the affirmative vote of at least seven members of the board shall be requisite in making any order, for authorizing the investment of any money or the sale and transfer of any stock or securities belonging to the corporation, or the appointment of any officer receiving any salary therefrom.

SECTION 5. That the persons named in the first section of this act shall be the first trustees of the said corporation, and all vacancies by death, resignation or otherwise, in the office of trustee, shall be filled by the board by ballot, without unnecessary delay, and at least six votes shall be necessary for the election of any trustee, all cast for him, and subject also to the approval of the judges of the district court of the county of Allegheny; the said trustees shall hold a regular meeting at least once in each month, to receive the reports of their officers, as to the business and affairs of the corporation, and to transact such business as may be necessary; and any trustee omitting to attend the regular meetings of the board for six months in succession, may thereupon, at the election and discretion of said board, be considered as having vacated his place, and a successor may be elected to fill the same; the judges of the district court of Allegheny county may, at any time, for due cause, remove any trustee, on proper notice to such trustee, and affording him an opportunity to be heard in his defence.

SECTION 6. That the general business and object of the corporation hereby created, shall be to receive on deposit such sum or sums of money, not less than one dollar, as may be from time to time offered therefor, by mariners, tradesmen, clerks, mechanics, laborers, minors, servants and others, and investing the same in the securities or stocks of this state or of the United States, or in the stocks and bonds of any corporation authorized to be issued by the legislature of this state, and on bond and mortgage on improved real estate, or loaning the same on the securities of this state or of the United States, or in the stocks and bonds of any corporation authorized to be issued by the legislature of this state: *Provided*, That the amount loaned on the same shall not exceed two-thirds of their current market value, or in such other manner as is authorized by this act, for the use, interest and advantage of the said depositors and their legal representatives; and the said corporation shall receive as deposits, from persons of the description above mentioned, all sums of money, not less than one dollar, which may be offered, for the purpose of being invested or loaned, as aforesaid, which shall, as soon as practicable, be invested or loaned accordingly, and shall be re-paid to such depositor when required, at such times, with such interest and under such regulations, as the board of trustees shall from time to time prescribe, which regulations shall be put up in some public and conspicuous place in the rooms where the business of the said corporation shall be transacted; no president, vice president, trustee, officer or servant of said corporation shall directly or indirectly borrow the funds of said corporation, or its deposits, or in any manner use the same, or any part thereof, except to pay necessary expenses, under the direction of the said board of trustees; all certificates or other evidences of deposits made by the proper officers of said corporation, shall be as binding upon the corporation as if they were made under the common seal; it shall be the duty of the trustees of the said corporation to regulate the rate of

First trustees.

Vacancies.

Meetings of trustees.

Objects.

Investment of moneys.

Proviso.

Repayment of deposits.

Officers not to borrow funds.

Interest.

interest to be allowed to the depositors, so that they shall receive, as nearly as may be, a ratable proportion of all the profits of said corporation, after deducting all necessary expenses, whenever it shall appear that there is an excess of twenty-five thousand dollars in the possession of said corporation, after the payment of the usual interest to the depositors, that sum shall be invested for the security of the depositors in said corporation, and thereafter, at each annual examination of the affairs of the said corporation, any surplus over and above said sum shall, in addition to the usual interest, be divided ratably amongst the depositors, in such manner as the board of trustees shall direct; and it shall be the duty of the trustees of said corporation to invest or loan, as soon as practicable, in public stocks, or public securities, or in bonds and mortgages, as provided for in this act, all sums received by them beyond an available fund of twenty-five per centum on the amount of deposits, which may by them be kept on deposit, or interest, or otherwise, in such available form as the board of trustees may direct, to meet the current payments of said corporation: *Provided further*, That said corporation shall not receive from any one person, company, association or corporation more than five hundred dollars within the period of one year, exclusive of the first deposit.

Surplus fund to be divided.

By laws, &c.

SECTION 7. That the board of trustees of the said corporation shall have power, from time to time, to make, constitute, ordain and establish such by-laws, rules and regulations as they shall judge proper for the election of their officers, for prescribing their respective functions, and the mode of discharging the same, for the regulation of the times of meetings of the officers and trustees, and generally for transacting, managing and directing the affairs of the corporation: *Provided*, That such by-laws, rules and regulations shall not be repugnant to the constitution or laws of this state or of the United States.

Proviso.

Bonds

SECTION 8. That the subordinate officers and agents of the said corporation shall, respectively, give such security for their fidelity and good conduct as the board of trustees may, from time to time require; and the said board shall fix the salaries of such officers and agents.

Pay of deposits made by minors, married women, &c.

SECTION 9. That the said board of trustees shall have full power, at their discretion, to pay on application, the check, proper receipt or order of any minor or married woman, such money or any part thereof, as he or she may have deposited, to his or her credit, or any interest or dividend accruing thereon, without the assent or approbation of the parent or guardian of such minor, or the husband of such married woman, as the case may be; and it shall not be lawful for the parent or guardian of such minor, or the husband or creditors of the husband, of such married woman, to attach or in any manner interfere with any deposit, interest or dividend due thereon, to such minor or married woman.

Reports to the legislature

SECTION 10. That the board of trustees shall also, in the month of January, report to the legislature of this state, the amount of funds on hand, the interest and dividends which have accrued thereon, and also, the unclaimed deposits on which, at least, the sum of five dollars shall then be due, and which shall have been deposited by persons who have not, within the two years next preceding such report, made a deposit or received a dividend or payment from said corporation, and shall publish the same in one or more of the newspapers published in the

city of Pittsburg; and any misnomer of said corporation in any instrument, shall not vitiate or impair the same, if it be sufficiently described to ascertain the intention of the parties.

SECTION 11. That the judges of the district court for the county of Allegheny may, at any time, on the application of two trustees or three depositors in said corporation, and on reasonable cause shown therefor, to the satisfaction of said court, appoint two or more persons to examine into the investments thereof, and its affairs and business generally; the books, papers and business of said corporation shall be open and subject to the examination of such persons, and the trustees, officers and clerks thereof, or any other person may be examined on oath by such persons; and the said court may confer such further powers on the persons so appointed as they may consider necessary, for the more thorough and perfect examination of the affairs and business of said corporation; the said persons so appointed shall report the result of their investigation to the said court, who, if satisfied thereby, that any trustee, officer or servant of said corporation has been guilty of any fraud or misconduct, may remove such person or persons, and make further order, and take such further measures for securing the funds and property of said corporation, as the said court shall deem expedient.

Examiners may be appointed

Report to be made

SECTION 12. That interest on deposits shall be estimated by calendar months, and in order to avoid the calculation of days upon small sums, no interest shall be allowed for the fractional parts of a month.

Interest how calculated.

SECTION 13. That the trustees of said corporation shall have full liberty at any time, on account of illegal or improper conduct on the part of a depositor, or for any other reason, to refuse deposits from the same, and also, forthwith to pay off and close the accounts of such depositor; and whenever it shall become apparent to the trustees or officers of the said corporation, that it would be unwise and injurious to the interests of a minor, to pay his or her order or check, or upon his or her application any money standing to his or her credit, the said trustees may demand a written order to make such payment, from the parent or guardian of such minor, as the case may be; and in the event of the minor having neither parent or guardian, may require an order from one of the judges of the district court of Allegheny county before making the payment.

Deposits may be refused.

Payment of certain deposits regulated.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 580.

A SUPPLEMENT

To an act incorporating the Merchants' Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the affairs of the Merchants' insurance company of Philadelphia shall be managed by a board of trustees, consisting of not less than thirteen, and not more than thirty stockholders, and such officers, agents and committees as they may appoint; they shall have power, and it shall be their duty, to divide their business into separate and distinct classes or departments, and the funds, resources and property belonging to and received from, or in the business of one class or department, shall in no case be liable for, or be appropriated to the payment of the losses or liabilities of any other class or department; the board shall have authority to declare dividends of the profits of the company to the stockholders, in proportion to the amount of stock held by him, her or them, on the first days of January and July of each year.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 581.

AN ACT

To incorporate the Philadelphia Guano Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Edward M. Clymer, David Wood and Joseph J. Keep, and such other persons as shall be associated with them, be and the same are hereby created into a body politic and corporate, by the name, style and title of the Philadelphia guano company, with a capital stock of five hundred thousand dollars, with power to increase the same to one million dollars, whenever a majority of the stockholders shall so determine, and which shall be divided into shares of one hundred dollars each.

Corporators

Style

Capital stock.

SECTION 2. That the affairs of the said company shall be managed by a board of five directors, one of whom, to be elected by the directors, shall be president, who shall be chosen by the stockholders; the first election shall be held within one month after the passage of this act, of which election public notice shall be given at least one week in one newspaper published in the city of Philadelphia; and subsequent elections shall be held at such time and place, annually, as the directors shall determine, of which the same notice shall be given; all elections shall be by ballot, and every share of stock subscribed and paid for shall entitle the holder thereof to one vote.

President and directors.

Election.

SECTION 3. That this corporation shall have authority to hold and use a common seal, and the same to change, alter or amend at pleasure, and by the style and title aforesaid shall be capable, in law, to sue and be sued; and the directors thereof may make all needful rules, regulations and by-laws, for the well ordering of the business and affairs of the corporation, and elect such officers and agents as may by them be deemed necessary: *Provided*, That no such by-laws or regulations shall in any wise conflict with or be contrary to the laws and constitution of this commonwealth or of the United States.

Privileges

Proviso.

SECTION 4. That the business of said corporation shall be confined to and the capital thereof shall be employed in buying, procuring and importing guano from abroad, and selling the same, in the purchase and charter or hiring of all vessels needful for such purpose, and in all matters and things whatsoever which are or may be deemed necessary for the prosecution of said business.

Business of company.

SECTION 5. That the stock may be transferred agreeably to the by-laws which may be adopted by the directors.

Transfers of stock

SECTION 6. That dividends may be declared and paid semi-annually or annually, as the directors may order, but such dividends shall in no case exceed the amount of actual profits acquired by the corporation; and if the directors shall make a dividend of more than the actual net profits, the directors consenting thereto shall severally be liable to the corporation, in their individual capacity, for the excess so divided and paid.

Dividends.

SECTION 7. That subscriptions to the stock may be made and paid in cash or personal estate appropriated to the business contemplated by this act; and if in personal estate, at a fair valuation, to be agreed upon by a majority in interest of the subscribers and stockholders.

Subscriptions to stock.

SECTION 8. That all transfers of stocks in said company shall be entered on the stock books thereof; and the said company shall keep an office for the transaction of their business, at the city of Philadelphia.

Transfers regulated.

SECTION 9. That this charter shall continue in force for the term of fifteen years from the date of its approval, and no longer, except for the purpose of winding up its affairs; and the legislature reserves the right to amend, alter or repeal the same at any time; in such manner, however, as shall do no injustice to the corporation.

Charter to continue in force for fifteen years.

Reservation.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and fifty-five. JAS. POLLOCK.

No. 582.

A SUPPLEMENT

To an act, entitled "An Act incorporating the Luzerne Mutual Insurance Company," approved the twenty seventh March, one thousand eight hundred and forty.

Name of company
changed.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the act of assembly, entitled "An Act to incorporate the Luzerne County mutual insurance company, and for other purposes," approved twenty-seventh of March, Anno Domini one thousand eight hundred and forty, be amended in part, as follows: The corporate name shall be, hereafter, the Luzerne County insurance company.

Certain parts of
other acts incor-
porated in char-
ter of this com-
pany.

SECTION 2. That sections one, two, three, four, five, six, seven, eight, twelve, thirteen, fourteen and fifteen, of an act of assembly, entitled "An Act to incorporate the Cash Mutual fire insurance company of Pennsylvania, and to authorize the laying out of a state road from Washingtonville to Muncy," approved the fourteenth of April, one thousand eight hundred and fifty-one, be incorporated into, and form a part of, the act of incorporation of the Luzerne County mutual insurance company aforesaid, exempting, however, so much of above sections as refers to scrip dividends, and hereby substituting the borough of Wilkesbarre for the borough of Harrisburg, and the county of Luzerne for the county of Dauphin.

Commissioners.

SECTION 3. That Henry M. Fuller, Warren J. Woodward, Jonathan J. Slocum, Angelo Jackson, Asher M. Stout, Robert C. Smith, Gideon W. Palmer and G. B. Nicholson, be the commissioners in the place of the commissioners named in the first section of the act referred to; and that the number of directors shall not exceed ten, nor be less than seven.

Directors.

Repeal.

SECTION 4. That so much of the act of assembly relative to the Luzerne County mutual insurance company, as is inconsistent with the above, be and the same is hereby repealed.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 583.

AN ACT

To incorporate the Manufacturers' Insurance Company of the State of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George P. Henszey, James B. Smith, William B. Thomas, Orrin Rogers, Henry Disston, Joseph Healey, Edward E. Jones, John Fry, Lewis Bitting, Robert J. Hemphill, James L. Gihon, Theodore L. Littlefield, John W. Massey, Hiram Miller, John W. Logan, Joseph H. Collins, William H. Sickles, M. Gillingham, Richard Griffith, Samuel Sheble, John W. Hicks, John Purrley, Joel Thomas, Johnson Greer and James P. Smyth, be and are hereby appointed commissioners for receiving subscriptions to the capital stock of a company to be called the Manufacturers' insurance company of the State of Pennsylvania, who shall open a book for that purpose in the city of Philadelphia, at a time and place to be by them designated, and of which they shall give public notice in two or more daily newspapers published in said city, for two successive weeks immediately preceding the time of opening the book as aforesaid; and the said book shall be kept open for three successive days, from eleven o'clock, A. M., until three o'clock, P. M., on each day, or until the number of ten thousand shares shall be subscribed for, at fifty dollars per share; and all persons of lawful age shall be permitted to subscribe to the said stock by paying five dollars on each share at the time of subscribing; and if the whole number of shares shall not have been subscribed within the said three days, the said commissioners shall have power to re-open the said book, at such times and places as they shall deem expedient, and continue the same open until the whole number of shares shall be subscribed: *Provided*, That all acts which the said commissioners are hereby authorized to do, shall be as effectual and valid, if performed by any five of them, or by a committee appointed by a majority of them, as if performed by them all.

SECTION 2. That when one thousand shares of the capital stock aforesaid shall have been subscribed, and at least five dollars per share paid in, the said commissioners, or a majority of them, shall certify to the governor, under their hands and seals, the names of the subscribers and the number of shares by them respectively subscribed, and the governor shall thereupon, by letters patent under his hand and the seal of the state, erect and create the subscribers into a body politic and corporate, by the name, style and title of the Manufacturers' insurance company of the State of Pennsylvania, to be located in the city of Philadelphia, by which name, style and title, the said subscribers and their successors shall have perpetual succession, and may sue and be sued, plead and be impleaded in all courts of record and elsewhere, and may purchase, receive, have, hold,

Proviso.

use, occupy, possess and enjoy to them and their successors, lands, tenements, hereditaments, goods, chattels and effects, of what nature, quality or kind soever, real, personal and mixed, necessary or convenient to carry into effect the powers and privileges hereinafter granted, and to receive and collect all promissory notes, or choses in action, taken in the course of their corporate business, and the same to sell, demise, grant, alien or dispose of: *Provided*, That the yearly income of the real estate so held, except such as shall be necessary or convenient for the transaction of their business, or which may be conveyed to said company in trust or for the security, or in payment of any debt which may become due or owing to them, or in satisfaction of any judgment of any court in their favor, shall not exceed the sum of ten thousand dollars; and that the said company shall have power to make, have and use a common seal, and the same at pleasure break, alter and renew.

Payment of stock

SECTION 3. That the capital stock of said company shall be called in, and paid at such times and places, and in such proportions and instalments as the president and directors may require, giving public notice thereof, for three successive weeks, in two or more daily newspapers published in the city of Philadelphia; and if any stockholder shall neglect to pay such proportion or instalment at the time and place appointed, he shall, in addition to the proportion or instalment so called for and payable by him, pay at the rate of one per centum per month for the delay of payment; and if the same, and the additional penalty, or any part thereof, shall remain unpaid for the period of six months, he shall, at the discretion of the directors, forfeit to the use of the company all his right, title and interest in and to every and all share or shares on account of which such default in payment may be made; or the said directors may, at their option, sue for the amount due on such stock, and recover the same, together with the penalty of one per centum per month as aforesaid; and in the event of a forfeiture of any share or shares, they may be disposed of at the discretion of the directors, under such rules and regulations as may be prescribed by the by-laws; and no stockholder shall be entitled to vote at any election, or at any general or special meeting of the company, on whose share or shares any instalment or arrearages may be due more than ten days previously to said election or meeting.

Directors.

SECTION 4. That the affairs of the company shall be managed by ten directors, of whom six shall be a quorum for the transaction of business, who shall be citizens of this commonwealth, and stockholders of the company, each holding at least five shares in his own right; they shall be elected annually on the first Monday of January by the stockholders, at a general meeting assembled for that purpose, of which meeting, public notice shall be given, in two or more daily newspapers published in the city of Philadelphia, for three successive weeks immediately preceding the holding of the same; and the directors, at their first meeting after each election, shall choose one of their number as president; and in case it should so happen at any time, that an election of directors should not be made at such meeting, the company, for that cause, shall not be dissolved; and it shall be lawful, within thirty days thereafter, to hold and make an election of directors, in such manner as shall be regulated by the by-laws and regulations of the company:

Election.

and in case of the death, resignation or removal from office of any director, his place may be filled for the remainder of the term, in such manner as the by-laws of the company may direct: *Provided*, That the first election of directors shall be held at a time and place to be appointed by the commissioners before mentioned, they giving notice thereof in manner aforesaid, and all directors of the company duly elected, shall hold their offices until new directors shall be chosen in their place; the votes for directors shall be by ballot, and each share of stock shall entitle the holder to one vote; but no person shall vote by proxy; nor shall any stockholder vote, for directors, unless the share or shares on which the vote is claimed, shall have been standing in the name of the holder at least thirty days previous to the election.

Vacancies.

Proviso.

Votes by ballot.

SECTION 5. That the directors for the time being, shall have power to sell and dispose of all the stock of the company that may remain unsold at the time of electing the first board of directors, under such regulations as to notice and sale as they may adopt, to establish and appoint such and so many officers, clerks, agents and agencies in this state, or elsewhere, as may be by them deemed convenient or necessary for conducting the business of the company, to fix their compensation, to take bonds from all or any of them, with security, for the faithful execution of their several duties; to make such covenants, contracts and agreements about the business of the company as they may deem proper; to ordain, establish and put in execution all such ordinances, regulations and by-laws as may appear necessary for the government or conducive to the interests of the company, not being contrary to the provisions of this act, or to the constitution and laws of the United States and of this state, and generally to do, execute and perform all acts, matters and things in relation to the business of the company, which a corporation may or can lawfully do.

Sale of stock.

Officers.

Bonds.

SECTION 6. That the said company shall have power and authority, on the security of their stock and property, or on the principles of mutual insurance, at such rate of premium as may be agreed upon, to make insurances and to guarantee against loss by fire, on all kinds of real and personal property and effects, and against the risks of transportation of all kinds of merchandise, money, gold, silver or other property, whether by ocean, canal or lake navigation, or by railroad or other means of transportation, either by wind or water, or by both land and water, and of all kinds of lawful pursuits, business or transactions in which there is or may be danger of loss or risk; and to make and execute such contracts, agreements, policies and other instruments of writing as shall or may be necessary, and as the nature of the case may require.

Insurances.

SECTION 7. That it shall be lawful for the said company to employ and improve the capital stock thereof, and all moneys received for premiums or otherwise, in any available loans or stocks, or to lend the same, or any part thereof, upon any good and sufficient security; and also to sell and dispose of, and transfer, all or any of the said loans, stocks and securities, and invest the proceeds thereof in like or such other loans, stocks and securities: *Provided*, That nothing contained in this act shall in any way be construed to authorize the said company to use their capital or other funds for banking purposes.

Investment of capital.

Proviso.

Dividends

SECTION 8. That the directors of the said company shall, on the first Monday of the months of December and June, in each and every year, declare and divide so much of the profits of the company as to them shall appear advisable, first deducting all expenses, and pay the said dividend to the respective stockholders or their agents, duly empowered, in ten days after declaring the same; but the moneys received as premiums upon risks, which remain outstanding and undetermined at the time of declaring such dividends, shall not then be considered as profits or divided as such; and if any loss shall happen, whereby the capital stock of said company shall be lessened, no subsequent dividend shall be made, until a sum equal to such diminution shall have been added to the capital stock; and if the directors shall knowingly make any dividend contrary to the prohibitions herein contained, such of them as shall consent thereto shall, in their individual capacities, be accountable for and pay over to the company, for the use thereof, as much money as they shall so divide and pay more than by this act they are authorized to do, and the president and each director of the said company in office at the time of making any dividend hereby prohibited, shall be deemed as consenting thereto, unless he, she or they shall, at the time of making and declaring the same, be absent from the board of directors, or if present, shall immediately enter his or their protest on the minutes of the board, and also give notice thereof in two or more newspapers published in the city of Philadelphia: *Provided*, That if the said company should fail at any time to meet its engagements, each person holding stock at the time of such failure shall be liable, in his individual capacity, for the debts of the said company, to the amount of the balance unpaid on the stock so by him or her held.

Transfer of stock.

SECTION 9. That the stock of said company shall be transferable on the books of said company only, according to such rules and regulations as may be prescribed by the by-laws.

Resumption of privileges.

SECTION 10. That if at any time it shall appear to the legislature that the said company has abused or misused any of the privileges hereby granted, the power to repeal this act shall in nowise be denied or impaired, but such repeal shall in nowise effect the engagements to which said company may have become a party previously thereto, nor shall it be done in such a manner as to do injustice to the corporation.

Prohibitions.

SECTION 11. That this corporation shall not issue scrip in payment of dividends, or exercise any banking privileges, or issue any certificate or other paper to be circulated as bank paper.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 584.

AN ACT

To incorporate the North Branch and Lackawanna Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Commissioners. Ira Tripp, G. B. Nicholson, Elhanan Smith, Edmund Griffin, John Barker, Daniel Wright and Samuel Swartz, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the North Branch and Lackawanna railroad company, with all the powers, and subject to all the provisions and restrictions of an act regulating railroad companies, passed the nineteenth of February, one thousand eight hundred and forty-nine. Style. Subject to

SECTION 2. That the capital stock of said company shall consist of ten thousand shares of fifty dollars each, with the privilege of increasing the same to any amount not exceeding twenty thousand shares. Capital stock

SECTION 3. That said company shall have the right to build and construct a railroad with single or double track, with stationary engines, inclined planes, gravity, grades or locomotive power as may be deemed most expedient by the said company, commencing at or within the township of Providence, in the county of Luzerne, and thence by the most practicable route to the North Branch canal, with the privilege of extending their road so as to connect with said improvement, at such point or points as may be deemed most advantageous, between George Saxes, in the township of Ransom, Luzerne county, and the borough of Tunkhannock, in Wyoming county; and the said company shall have the further power to build and construct branch or lateral roads not exceeding six miles in length, in any case, to connect their road with other roads, and to construct a bridge or bridges across any stream or river upon the route of said road, in such manner as not to impede the free navigation thereof. Route.

SECTION 4. That whenever the parties cannot agree upon the damages claimed, either for land or materials taken by the said company in the prosecution of their work, the said company may tender a bond, and proceed in all respects as is provided and specified in the second section of an act, entitled "A supplement to an act incorporating the Pennsylvania coal company," approved the seventh day of March, Anno Domini one thousand eight hundred and forty-nine. Damages.

SECTION 5. That whenever any section or sections of three miles or more of said road shall be completed, the said company may use, employ and enjoy the same, in the same manner as when the entire length thereof shall be constructed. Use of road.

SECTION 6. That the president and managers of the said North Branch and Lackawanna railroad company be and they are hereby authorized to pay to the shareholders entitled to receive the same, in the months of January and July in each Payment of interest to shareholders.

year, interest, at the rate of six per centum per annum, on all instalments paid by them, and continue to pay the same till the road shall be completed; all the profits or earnings of the said railroad, within the same time, shall be credited to the cost of construction, and all interest paid shall be charged to the cost of construction: *Provided*, That interest shall not be paid upon any share of stock upon which any instalment which has been called for remains unpaid: *Provided further*, That the stock of said company shall not be subject to any tax in consequence of the payment of the interest hereby authorized, nor until the net earnings of the company shall realize at least six per centum per annum upon the capital invested.

Proviso.

Proviso

May borrow money.

SECTION 7. That the said railroad company are hereby authorized to borrow on loan, any sum or sums of money not exceeding, in the aggregate, three hundred thousand dollars, and issue their bonds therefor at any rate of interest not exceeding eight per centum per annum, for the purpose of constructing their road and stocking the same, and may secure the payment of such bonds by a mortgage upon the real estate and franchises, or any part thereof, of said company.

Organization.

SECTION 8. That when two thousand shares or more of the stock of said company shall have been subscribed, and the sum of five dollars paid upon each share so subscribed, the said company may organize and commence the construction of their works.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 585.

AN ACT

To incorporate the Pennsylvania and Lehigh Zinc Company.

Corporators

Objects

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George T. Lewis, Joseph Wharton, Charles Lemmig, Samuel F. Fisher, Henry B. Tatham and Charles W. Wharton, and such other persons as shall associate with them and their successors, be and they are hereby erected into a body politic and corporate, for the purpose of mining zinc ore, and other ores found in connection therewith; and of manufacturing zinc, paint, metallic zinc, and other articles from said ores in the counties of Lehigh

and Northampton, and of vending the same or any of them, under the name and style of "The Pennsylvania and Lehigh zinc company," with a capital stock of one million of dollars, to be divided into shares of five dollars each.

SECTION 2. That the affairs of said company shall be managed by seven directors, one of whom elected by the majority of such directors shall be president, and a majority thereof form a quorum to transact business; said directors shall be chosen from the stockholders; the first election to be held in the city of Philadelphia, within sixty days after this act shall take effect, of which election public notice shall be given at least two weeks previous thereto, by a majority of said corporators, in two or more newspapers in the county of Lehigh, and one or more in the city of Philadelphia; and the subsequent elections shall be held annually at such convenient time and place as the directors shall determine; of which previous notice shall for a like time and publication be given by the president: *Provided*, That in case of failure to hold an election under this act, the former directors shall continue in office until their successors be duly elected.

SECTION 3. That the election for directors shall be held by ballot, and each stockholder shall be entitled to one vote for each share owned and held by him as herein provided; no share shall confer the right of voting while any instalment thereon is due and unpaid, nor which shall have been transferred within one month from the day of election, nor unless held *bona fide* by the person in whose name it appears in his own right or that of his wife, or as executor, administrator, trustee or guardian; and all votes by proxy shall be on the terms and conditions prescribed by the several acts of assembly regulating proxies; those having a majority of votes so given, shall be elected; and in case of the vacancy from any cause after election of any directors, his successors may be appointed by the majority of the directors; the persons so chosen to continue till the next election by the stockholders.

SECTION 4. That this corporation shall have authority to hold and use a common seal, with such device and inscription as they shall deem proper, and the same to break, alter and renew at pleasure, and by the name of "The Pennsylvania and Lehigh zinc company," shall be capable in law to sue and be sued, plead and be impleaded, in any court before any judge or justice, in all manner of suits, and all and every matter to do in as full effect as any other person or persons, bodies corporate within the commonwealth; and is authorized and empowered to make by-laws and rules, appoint officers and agents, and do every thing needful for the good government of the affairs of the said corporation: *Provided*, That the said by-laws and rules be not repugnant to the constitution and laws of the United States or of this state.

SECTION 5. That the said company shall be able and capable, in law, to take, receive and hold in fee simple, or to lease lands and tenements, and may sell, lease, mortgage or dispose of their interest in the same, as they may deem expedient, and may receive subscriptions to their said capital stock in such property, form or manner as may by the directors be deemed expedient: *Provided*, That the said lands shall not exceed, in quantity, one thousand acres at any one time, and shall lie within the counties of Lehigh and Northampton.

Objects of company.

SECTION 6. That the said company shall have power to use and employ their moneys and property in mining zinc ore and other ores, and in manufacturing zinc paint, metallic zinc, and other articles, from ores found in connection therewith, in the counties of Lehigh and Northampton, and in vending the same or any of them, or all or any of the above purposes, and in requiring and using such necessary materials and erecting such necessary buildings and conveniences as they may find advantageous, and shall have and possess all rights and powers needful to carry the same into full effect; but they shall not exercise any banking privileges.

Dividends.

SECTION 7. That dividends of so much of the profits as the directors may think advisable, shall be declared and paid upon such days and times as the directors of said company shall deem proper; but the dividends shall in no case exceed the amount of the profits actually acquired by the company, as exhibited by the books and accounts; and if the directors shall make a dividend of more than the net profits, as shown by the books of the company, the directors consenting thereto shall be liable to the company, in their individual capacity, for the excess so divided and paid.

Transfer of stock.

SECTION 8. That the stock of said corporation shall be transferable, agreeably to the by-laws adopted by the company; but no stock shall be transferred on which an instalment may be due and unpaid, unless with the consent of the directors.

Liability of stockholders.

SECTION 9. That the stockholders of the said company shall be individually liable for all work and labor done upon contract with them, in and about their mines and manufactories, for machinery furnished upon the order of their agent in that behalf, and for teaming or boating, upon their order, their manufactures to market.

Certain contracts to be assumed.

SECTION 10. That the said company, as a condition of this charter, shall be required to assume and take upon themselves to fulfil a contract entered into by "The Pennsylvania and Lehigh zinc company" of New York, with Gilbert and Wetherill, dated the twenty-seventh day of July, Anno Domini one thousand eight hundred and fifty-four, for the manufacturing of white oxide of zinc: *Provided*, That the said Gilbert and Wetherill shall, within thirty days after the passage of this act, give notice in writing to the said corporators, of their election to carry out the said contract on their part, and to accept the company hereby created, in the place of the original contracting parties, and shall also be required to assume and take upon themselves to fulfil a certain contract entered into by the said "The Pennsylvania and Lehigh zinc company" of New York with James T. Lewis and company, for the selling of white oxide of zinc, dated the twenty-ninth day of May, Anno Domini one thousand eight hundred and fifty-four: *Provided*, That the said James T. Lewis & Co. shall, within thirty days after the passage of this act, give notice in writing to the said corporators of their election to carry out the said contract on their part, and to accept the company hereby created, in place of the original contracting parties.

Proviso

Proviso

Tax to the commonwealth.

SECTION 11. That the said company shall cause to be paid to the state treasurer, for the use of the commonwealth, one half of one per cent. on their capital stock of one million of dollars, in four equal annual instalments, the first of which instalments shall be paid within thirty days after the passage of this act.

SECTION 12. That this charter shall continue in force for the term of twenty years from the date of its approval, and no longer, unless extended by an act of the legislature ; and the legislature reserves the right to amend, alter or repeal at any time, in such manner, however, as shall not do injustice to the company nor to any individual thereof.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 586.

A N A C T

To extend the charter of the Western Bank of Philadelphia

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of the Western Bank of Philadelphia be and the same is hereby extended for a period of twenty years, from the expiration of its present charter, subject to the provisions and restrictions of an act regulating banks, approved April sixteenth, one thousand eight hundred and fifty, and the supplements therunto.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 587.

AN ACT

To renew and extend the charter of the Southwark Bank, in the county of Philadelphia.

SECTION 1. *Be it enacted by the Senote and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the corporate privileges of the Southwark Bank, in the county of Philadelphia, be and the same are hereby renewed and extended for a period of twenty years from and after the expiration of its present charter; and said bank shall for such period, be entitled to all the privileges and powers conferred, and subject to all the restrictions imposed on banks, contained in an act, entitled "An Act regulating banks," approved April sixteenth, one thousand eight hundred and fifty, and the several supplements thereto; and the corporate title of said bank shall hereafter be the "Southwark Bank of Philadelphia."*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The second day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 588.

AN ACT

To incorporate the Cosmopolitan Art Association.

Corporators.

Style.

Powers.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That James W. Claghorn, David G. Barnitz, David B. Birney, Michael M. Riter, C. L. Derby, William Goodrich and John Sartain, their associates and successors are hereby constituted a body politic and corporate in law and in fact, by the name and style of the Cosmopolitan art association, for the encouragement and general diffusion of art, with all the powers, rights and privileges, and subject to the restrictions contained in the second, third and fourth sections of an act to confer on*

certain associations of the citizens of this commonwealth, the powers and immunities of corporations or bodies politic in law, passed the sixth day of April, one thousand seven hundred and ninety-one. Subject to.

SECTION 2. That the object of this association shall be the encouragement of the arts of design by the purchase of pictures and other works of art, the distribution of engravings, or by such other means as may be most conducive to the proper fostering of art, a subscription of three dollars per annum, shall constitute each subscriber a member of the association, and its affairs shall be conducted by a board of five managers, to be chosen annually, by ballot, on the first Monday of June; and a president, vice president, treasurer, a recording secretary and corresponding secretary shall be chosen at the same time and in the same manner, either from the said board or the members generally; if from the members, such officers shall be ex-officio members of the board of managers, who shall have power to fill any vacancies in their own body, or among said officers, until the next election; the board of managers shall adopt such measures as shall be determined by the said association, for procuring of engravings and distributing them among the members, according to their subscriptions, and shall divide the surplus funds exclusive of any reserved fund deemed necessary, into sums of various amounts adapted to the purchase of pictures and other works of art, which shall be distributed by lot among the members, or they shall dispose of said reserve or other funds in such manner as shall be most conducive to the objects of this association and the encouragement of art, and as shall be specifically directed by the by-laws. Object.
Membership.
Managers.
Elections.
Officers.
Vacancies.
Distributions.

SECTION 3. That the legislature may at any time alter, amend or revoke the privileges hereby granted. Reservation

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 589.

A SUPPLEMENT

To an act, entitled "An Act to incorporate the Central American Mining Company," approved the twenty-first day of April, one thousand eight hundred and fifty-four.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Additional cor-
porators.

the following named persons be and they are hereby added, as corporators, to those named in the first section of the act to which this is a supplement, to wit: Robert J. Ross, J. Eugene Flandin, Charles A. Stetson, Samuel E. Johnson, James A. Morel and William Russel Foster; and that the words, "and south," between the words "Central America," shall be and they are hereby inserted when such words occur in said first section, and shall form a part of the first section of said act.

Election of direc-
tors.

SECTION 2. That the corporators named in the act to which this is a supplement, in company and together with their associates named in this act, shall elect at their first or any subsequent meeting, nine of their number to serve as directors of the company, a majority of whom shall be a quorum for the transaction of business, until the time which the by-laws shall prescribe for another election, or until their successors shall have been chosen.

Repeal.

SECTION 3. That the third and fifth sections of the act to which this is a supplement, be and the same are hereby repealed.

Name changed.

SECTION 4. That the words "Central American mining" shall be and they are hereby stricken from the first section of the act to which this is a supplement, and the words, "Chiriqui improvement" substituted for them, and henceforward said Central American mining company shall be known by the name, style and title of the "Chiriqui improvement company."

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HIESTER,

Speaker of the Senate.

APPROVED—The third day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK

No. 590.

A SUPPLEMENT

To the act incorporating the Wellersburg and West Newton Plank Road Company, approved April fifteenth, one thousand eight hundred and fifty.

Toll:

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the Pittsburgh and Cumberland plank road company shall be and is hereby authorized to charge the following rates of toll on all wagons traveling said road, viz: On all wagons with four or more horses in the same, and hauling over seventy and less than ninety hundred pounds weight, including the weight of wagon, one-third more toll than the rate allowed by the thirteenth sec-*

tion of an act regulating turnpike and plank road companies, passed the twenty-sixth day of January, one thousand eight hundred and forty-nine; and all wagons hauling over ninety and less than one hundred and ten hundred pounds, another one-third additional rate, and so continuing for every additional ton weight one-third the first rate to be added thereto; and all wagons hauled by two horses and hauling more than fifty and less than seventy hundred weight, including the wagon, one-third more toll than the rate provided by the act aforesaid, and for every additional ton weight another one-third of the first rate in same proportion, as is provided for wagons having four or more horses.

SECTION 2. That it shall further be lawful for said company, after demand being first made, to sue for and collect from any person or persons traveling over any portion of their road, toll according to the distance traveled and the lawful rates charged by them, whether said person or persons shall pass through a gate established for the collection of toll by said company or not: *Provided*, That this section shall not apply to persons traveling over their own lands or to any distances less than one mile. Suits for tolls.
Proviso.

SECTION 3. That the name of said company be and is hereby changed from the Pittsburg and Cumberland plank road company to the Wellersburg and West Newton plank road company. Name changed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 591.

A FURTHER SUPPLEMENT

To the act incorporating the Monongahela Navigation Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the times limited for the completion of locks and dams, numbers five and six, by the Monongahela navigation company, as provided by the supplement to the charter of said company, passed the twenty-fifth day of January, one thousand eight hundred and fifty-four, be and the same are hereby extended to the thirty-first day of December, one thousand eight hundred and fifty-five; and the time limited for the completion of the works above dam*

number six, to the Virginia state line, be and the same is hereby extended for a further period of four years from and after the passage of this act; and so much of said act as is inconsistent herewith, be and the same is hereby repealed.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-five. JAS. POLLOCK.

No. 592.

A FURTHER SUPPLEMENT

To an act to incorporate the Mount Carbon and Port Carbon Railroad Company, and relative to the Philadelphia and Reading Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the time allowed to the stockholders of the Philadelphia and Reading railroad company, to purchase the road with its improvements and appurtenances of the Mount Carbon and Port Carbon railroad company, as provided for in the ninth section of the act of April fifth, Anno Domini one thousand eight hundred and forty-four, entitled "A supplement to an act, entitled 'An Act to incorporate the Mount Carbon and Port Carbon railroad company,' " and the supplements thereto, be and the same is hereby extended so as to authorize said purchase at any time within four years from and after the passage of this act; and that it shall and may be lawful for the Philadelphia and Reading railroad company, with the consent of the Northern Liberties and Penn Township railroad company, to purchase upon such terms as may be agreed upon between the said companies, the railroad as now constructed, of the said last named company, with all its real estate, property, improvements and appurtenances, and to annex the same to their own road, of which it shall thereafter become a part, subject to all the laws, privileges and restrictions contained in the charter of the said the Northern Liberties and Penn Township railroad company, or any supplements thereto; or the said the Philadelphia and Reading railroad company may purchase, hold and own shares of and in the capital stock of the said the Northern Liberties and Penn Township railroad company: *Provided however, That if the said the Philadelphia and Reading railroad company shall so purchase, then they shall re-lay said railroad, and pave in a good and substantial manner the street on which said railroad now runs, from the junction thereof with the road of the said the Phila-*

delphia and Reading railroad company, to the termination thereof, on the river Delaware, such re-laying and paving to be subject to such rules and regulations as the councils of the city shall from time to time establish.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 593.

A N A C T

To incorporate the Franklin Hall Association of the borough of Chambersburg,
Franklin county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the persons who now are or may hereafter become members of the Franklin hall association of the borough of Chambersburg, in the county of Franklin, according to the terms of the constitution thereof, are hereby created a body politic and corporate, in deed and in law, and by the name of the Franklin hall association of the borough of Chambersburg, in the county of Franklin, shall have perpetual succession, and be able to sue and be sued, implead and be impleaded, in any court of law or elsewhere, and shall be able to receive, take, have, hold and enjoy, to them and their successors, for the use of the said association, any estate in lands, messuages, tenements and hereditaments, goods, chattels, moneys or effects of what nature soever, by gift, grant, bargain, sale, assurance, devise or bequest, from any body corporate, or person whatsoever, and the same or any part thereof to sell or dispose of at pleasure; and to make, have and use a common seal, and to break, alter and renew the same at pleasure, and generally to do all and every other matter or thing which any corporation or body politic lawfully may or can do, to carry into effect the object and purposes set forth in the constitution hereinafter contained: *Provided*, That the clear yearly income or profits of all the estate had and enjoyed by the said association, shall not exceed the sum of four thousand dollars.

SECTION 2. That the constitution of the Franklin hall association of the borough of Chambersburg, in the county of Franklin, inserted in this section, shall be deemed and taken as a part of this act, to all intents and purposes, and J. Allison Eyster, A. H. McCulloh, John P. Culbertson, Jacob L. Suesserott, Benja-

min F. Nead, Robert Hazlet, F. S. Stumbaugh and William G. Reed, the officers and directors elected on the first Monday and second day of April, Anno Domini one thousand eight hundred and fifty-five, shall be the officers of the association hereby incorporated, until the next annual election, as provided for in the third article of said constitution.

CONSTITUTION.

WE, the undersigned, wishing to form a company for the erection of a public hall in the borough of Chambersburg, do hereby agree to be governed by the following articles: *Provided*, That one hundred shares are subscribed.

Style. ARTICLE 1. This association shall be known by the name of "The hall association of the borough of Chambersburg." The number of shares of stock shall not exceed one hundred and fifty, and the par value of each share shall be one hundred and four dollars.

Stock.

Shares, how to be paid for. ARTICLE 2. Every member of this association shall pay, weekly, fifty cents per share for every share of stock subscribed by him, until the full sum of one hundred and four dollars per share has been paid in, when certificates of stock shall be issued for the same. If any member shall fail to pay the weekly payments at the time specified for the same, he shall pay in addition thereto, five cents on each share subscribed by him, as a fine for his neglect; and if any member shall refuse or neglect to make his weekly payments for the period of three months, he shall forfeit the amount paid in, and his name shall be stricken from the list of stockholders: *Provided however*, That his name may be reinstated by the president and board of directors, upon the payment of all back dues with interest thereon at the rate of six per centum per annum. Any member may pay his dues in advance, and all payments must be made in bankable funds.

Penalty for non-payment.

Proviso.

Officers and their election. ARTICLE 3. The officers of this association shall consist of a president, secretary, treasurer and five directors, who shall be elected annually, by ballot, on the first Monday of April, and shall continue in office one year, or until their successors are chosen. Vacancies in the board, arising from death, resignation or refusal to act, shall be filled by appointment, by the remaining ones, to continue until next election.

Meetings of directors and their powers ARTICLE 4. The president and board of directors (a majority of whom shall constitute a quorum) shall meet monthly, and shall have full power to manage the affairs of the society generally, to purchase real estate in the borough, and improve the same with suitable buildings for a hall for public lectures and exhibitions, under such regulations as shall be provided for by the by-laws, with apartments in part of the same, or adjacent thereto, to be rented for the use and benefit of the association, the said property to be held by the said stockholders, and enjoyed according to the amounts of their respective shares of stock, the profits of the same, from rents and receipts, to be annually accounted for; and dividends of so much of the profits of the association as shall appear advisable to the board, shall be declared on the second Monday of April in every year, and paid to the stockholders on demand, at any time after the expiration of ten days therefrom; they shall, immediately upon

Dividends.

their election, fix a time and place for the payment of the weekly instalments, and give public notice of the same. Time and place for paying instalments.

ARTICLE 5. It shall be the duty of the secretary to keep accurate minutes of the proceedings of the president and board of directors, and of the meetings of the stockholders, to attend at the time and place appointed to receive the weekly dues of the stockholders, keep correct accounts of the same and pay them over to the treasurer; attest all drafts issued by the president and board of directors, and exhibit at each monthly meeting a general statement of the financial condition of the association, reporting the delinquencies that may occur in the payment of dues, and do and perform such other duties as may be required of him; he shall have his books present at every meeting, open to the inspection of any member of the association; he shall receive for his services such sum as may be fixed by the president and board of directors. Secretary and his duties.

ARTICLE 6. It shall be the duty of the treasurer to receive from the secretary all money collected by him, pay all orders drawn by the president and board of directors, and attested by the secretary; he shall keep correct accounts of all money received and paid by him, and at every monthly meeting shall exhibit a balance sheet to the president and board of directors; he shall have his books present at every meeting, open to the inspection of any member of the association; he shall give a bond with two sureties, to be approved of by the president and board of directors, for the faithful performance of his duties. Treasurer.

ARTICLE 7. Any member may transfer a share or all of his shares of stock to another person, but before any transfer is made upon the books of the association, the person to whom they have been sold must sign this constitution, and he shall then be subject to all the liabilities, and entitled to the privileges of the original owner. Transfers of shares.

ARTICLE 8. In case of the death of any stockholder before the full amount of his share or shares of stock shall have been paid up, his heirs, executors or administrators shall have full power to withdraw the amount paid in, without any deduction, except for fines imposed during the life of the owner. Provision in case of death of members.

ARTICLE 9. Special meetings of the stockholders may be called at any time upon the written request of twelve members; notice of any meeting must be given at least two days before it is to be held. Special meetings.

ARTICLE 10. Every member shall have one vote for every share of stock held by him, up to three shares, and one vote for every two additional shares over three; no stockholder shall be allowed to vote at an election for officers, or on any other occasion, who is at any time delinquent in the payment of his weekly instalments. Votes.

ARTICLE 11. If an act of incorporation is not procured for this association, on or before the first day of April, Anno Domini one thousand eight hundred and fifty-seven, the stockholders will be privileged to withdraw their subscriptions, and the amount paid in shall be paid to them upon application to the president and board of directors. Withdrawal regulated.

ARTICLE 12. No alteration or amendment shall be made to the constitution, except the same is proposed in writing, at a monthly meeting of the president and directors, when they shall call a special meeting of the stockholders for the consideration of the same, and if at said meeting two-thirds of the Amendments to constitution.

stockholders vote in favor thereof, it shall be a part of this constitution, and not otherwise.

By-laws.

ARTICLE 13. By-laws, in strict conformity with this constitution, may be made at any time after the organization of the association, that a majority of the members may decide.

HENRY K. STRONG,

Speaker of the House of Representatives.

WM. M. HESTER,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 594.

A N A C T

To incorporate the Hopewell Coal and Iron Company.

Corporators.

Style.

Privileges.

Capital stock.

Privileges.

May make rail-roads.

Officers and their election.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Henry K. Strong, Andrew J. Jones, Henry R. Coggshall, A. S. Gillette, Stephen Miller, John M'Canles, Samuel J. Christian, William K. Mehaffey, D. J. Unger, their associates and assigns, be and they are hereby constituted a body politic and corporate, by the name, style and title of the Hopewell coal and iron company, and as such shall have power to take and hold land and real estate, in fee simple, on Broad Top, in the county of Bedford, and to prove and open the veins of coal and other minerals on or in their lands, and to prepare the same for being worked and leased, with power to lease the said lands or any portion thereof.

SECTION 2. That the capital stock of the said company shall not exceed twenty thousand shares at fifty dollars each ; and the said company is hereby declared and made capable in law to sue and be sued, implead and be impleaded, to have a common seal, to hold and convey such real and personal property as may be necessary to promote the objects of their incorporation, and to sell and dispose of the products of their lands ; it shall also be lawful for the said company to construct such lateral or branch railroads, as may be necessary to connect any of their lands with the main stem or branches of the Huntingdon and Broad Top railroad company.

SECTION 3. That the affairs of the said company shall be managed and conducted by a board of directors, to consist of not less than five nor more than fifteen, who shall be elected by the stockholders on the first Tuesday in January of each and every year, and who shall elect one of their number as presi-

dent; but if, for any cause, the election of directors as aforesaid does not take place, it shall be competent to elect the same at any other time, after two weeks' public notice shall have been given, without injury to this act of incorporation; and in all elections of stockholders, each share of stock shall entitle the holder to one vote.

SECTION 4. That this act shall continue in force for the period of twenty-five years from the time of its passage. Limitation of charter.

SECTION 5. That the said company shall pay a bonus of one-half of one per cent. on its capital stock as paid in, payable in four equal annual instalments, the first payment to be made in one year from the date hereof. Bonus to be paid.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 595.

A N A C T

Incorporating the Reading Insurance Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That William Heidenreich, of Kutztown, Abraham Keiffer, of Oley township, Elijah P. Smith, of Womelsdorf, Henry Thompson, of Robeson, Henry P. Robeson, of Heidelberg township, Benjamin Tyson, Adam Leize, J. B. Bell, Jacob M. Sallade, Hiester H. Muhlenberg and Joseph Henry, of the city of Reading, and all other persons who may hereafter associate with them, in the manner hereinafter prescribed, shall be and are hereby constituted a body politic and corporate, by the name of the Reading insurance company, which shall have perpetual succession, with power and authority to make contracts of insurance with any person or persons, or any body politic or corporate, against loss or damage of property by fire or any cause of risk; to make all kinds of insurance against loss or damage of goods, merchandize or other kinds of property in the course of transportation by land, or water, or otherwise, and in any vessel, or boat, or other water-craft, and to make insurance upon such goods, wares and merchandize, and to cause themselves to be insured

Corporators
Privileges.

against any loss, damage or risk in course of their business, for such term or terms of time, and for such premium or consideration, and with such modifications and restrictions, as may be agreed upon between the said corporation and the persons agreeing with them for insurance.

Powers and privileges.

SECTION 2. That the corporation hereby created shall be capable of contracting and being contracted with, of suing and being sued, of pleading and being impleaded in all courts and places, and in all matters whatsoever, with full power to hold, possess, use, occupy and enjoy all such real estate as shall be necessary for the transaction of its business, or which may be conveyed to said company as security, or in payment of any debts that may be due or owing to the same, or in satisfaction of any judgment of any court of law, or any order or decree of a court of equity in their favor, and the same real estate sell, convey and dispose of; and may have a common seal, and use at pleasure; and also may make, order and establish, and put in execution, such by-laws, ordinances, rules and regulations as shall be necessary for the government of said company, and for the prudent management of its affairs, and to receive all proposals or applications for insurance in writing, as a warranty on the part of those insuring, and to base policies of insurance thereon, and to incorporate the same as a part of the contract between the company and the insured, and for the purpose of defining the rights of each contracting party.

Capital stock.

SECTION 3. That the capital stock of this company shall be one hundred and twenty-five thousand dollars, to be divided into shares of twenty-five dollars each.

Letters patent.

SECTION 4. That as soon as one thousand shares of the capital stock are subscribed for, and five dollars per share paid into the hands of some one appointed by the commissioners to receive the same, it shall be the duty of the said commissioners, or a majority of them, to certify the same to the governor, under their hands and seals, together with the names of the subscribers; and the governor shall, thereupon, issue letters patent, incorporating the subscribers into a body politic. The said commissioners, or a majority of them, shall also, by an advertisement published in one or more of the newspapers of the city of Reading, notify and call a meeting of the subscribers or their representatives, at some place by them designated, for the purpose of electing a president, secretary and directors, and such other officers as shall be deemed expedient, for the term of one year or until another election; said election to be made by ballot and by a plurality of the votes cast by the subscribers or their representatives, authorized by power of attorney, which shall at no time bear date more than thirty days preceding such election, allowing each stockholder one vote for each share of stock held by him.

Organization.

Election of officers

SECTION 5. That after the organization of this corporation it shall be the duty of the secretary to call a meeting, annually thereafter, of the stockholders, for the election of president, secretary and directors, and such other officers as may be deemed necessary, giving ten days' notice in one or more newspapers published in the city of Reading; but if it shall happen that said election does not take place on the day which, pursuant to this, it ought to have taken place, this corporation shall not for that cause be dissolved; but it shall be lawful on any other day

to hold and make an election of directors and officers, in such manner as shall have been adopted by the by-laws and ordinances of said corporation, and in accordance with this act.

SECTION 6. That the affairs of this corporation shall be managed by a board of not less than five nor more than thirteen directors; and all vacancies occurring in said board, or in the office of president or secretary, shall be filled by the remaining directors for the remainder of the year for which they were elected, and a majority of the whole shall constitute a quorum for the transaction of business.

Affairs, how managed.

SECTION 7. That the business of said company shall be conducted in the city of Reading, and a majority of the directors shall be residents of Berks county, and the president and secretary shall be residents of said county; it shall be lawful, however, for said company to establish agencies within this commonwealth, with local boards of directors of not less than three stockholders, for the purpose of effecting insurance and transacting the business of the company; and all contracts, agreements and receipts of such agents shall be as valid and binding as if the same were effected by the president and directors of said company.

Place of business.

Agencies.

SECTION 8. That it shall and may be lawful for said company to invest its capital stock and the moneys received from premiums on insurances, in the funded debt of the United States and state of Pennsylvania, and in bonds and mortgages secured in real estate, and other good real estate securities, or otherwise.

Investment of capital.

SECTION 9. That the capital stock of this company shall be called in at such times and in such instalments as the directors may require, of which public notice shall be given in one or more papers published in the city of Reading; and if any subscriber shall neglect to pay such instalments at the time appointed, he, she or they shall be liable to pay, in addition to the amount so called for and unpaid, at the rate of one per centum per month for the delay of such payment; and if the same and the additional penalty, or any part thereof, shall remain unpaid for the period of two months, he, she or they shall, at the discretion of the directors, forfeit to the use of the company all right, title and interest in and to every and all shares on account of which such default in payment may have been made; or the directors may, at their option, cause suit to be brought for the recovery of the amount due, together with the penalty of one per centum per month as aforesaid; in the event of a forfeiture as aforesaid, the share or shares so forfeited may be disposed of at the discretion of the directors; no stockholder shall be entitled to vote at any election or at any meeting of the stockholders on whose share or shares any instalment may be due and unpaid for the period of thirty days.

Payment of stock.

SECTION 10. That dividends of so much of the profits of this company as shall appear advisable to the directors, shall be declared in the months of January and July, annually.

Dividends.

SECTION 11. That the stock of this company shall be deemed personal estate, and shall be transferable in a suitable book to be kept by the company for that purpose, in person or by attorney duly authorized, in presence of the president or secretary; but no share or shares shall be transferable until all arrears on previous calls thereon are paid, or the said shares shall have

Transfer of stock

been declared forfeited for the non-payment of calls thereon, in the manner hereinbefore provided.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 596.

AN ACT

To incorporate the Miners Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met. and it is hereby enacted by the authority of the same, That* J. M. Pomroy, C. B. Wright, John M. Hale, D. J. McCann, O. H. Irish, Samuel Lewis, Jacob Lewis, A. H. Palmer and their associates, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company, by the name, style and title of the Miners railroad company, with all the powers, and subject to all the provisions and restrictions prescribed by an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty nine.

Commissioners.

Style.

Subject to.

Capital stock.

Proviso.

Proviso.

Route of road.

SECTION 2. That the capital stock of said company shall consist of one thousand shares, of one hundred dollars each: *Provided*, That said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capital stock to so much, as in their opinion may be necessary to complete the said road and carry out the true intent and meaning of this act: *And provided further*, That the Erie and Susquehanna coal company, or any other company organized for the purpose of mining coal, may subscribe to the capital stock of said company: *Provided*, That such subscription be made with the assent of a majority of the stockholders of such subscribing corporation, at a meeting called for that purpose, and that the whole amount of such subscriptions shall not exceed one-third the whole amount subscribed of the capital stock of said Miners railroad company.

SECTION 3. That said company shall have the right to build and construct a railroad from the lands of the "Erie and Susquehanna coal company," located in Luzerne county, to connect with the North Branch canal or the Lackawanna and Bloomsburg railroad, by such route as the directors of the Erie and

Susquehanna coal company shall deem most expedient, with suitable branch roads, not exceeding in the whole twelve miles in length: *Provided*, That the said company, in the location of their road, shall in no manner interfere with the rights and privileges of the Lackawanna and Bloomsburg railroad company, or any other railroad company now incorporated. Proviso.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 597.

AN ACT

To incorporate the Wabank House on the banks of the Conestoga, in Lancaster county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Christian Kieffer, William Carpenter, William B. Fordney, David Longenecker, Charles Boughter, Thomas Baumgardner, John Brenner, Christopher Hager, John Shaffner, John F. Shroeder, Michael Barry, Richard M'Gran, Eskridge E. Lane, Edward Hubley, Jacob Bausman, Jacob Frantz, Michael Malone, John Black and Abraham Russell or any three or more of them, be and they are hereby appointed commissioners to do and perform the following duties; that is to say, they shall at such time or times, place or places, and upon such notice as they may deem expedient, open books for the purpose of receiving subscriptions to the capital stock of the association incorporated by this act, and they may adjourn from time to time, and to such places as they may deem proper, until the whole amount of stock authorized by this act shall be subscribed, and if the whole amount of said stock shall not have been taken before the organization of said association, it shall be lawful for the president and directors for the time being, to receive such subscriptions of stock until the whole amount thereof shall be taken. Commissioners.

Duties.

SECTION 2. That the capital stock of said association shall be seventy thousand dollars, in shares of one hundred dollars each, certificates whereof shall be issued to the subscribers for the number of shares by them respectively subscribed, signed by the president, countersigned by the secretary, and sealed with the common seal of said corporation, which stock shall be transferable in person or by attorney, executors, administrators, guar- Capital stock

dians or trustees, under such regulations and restrictions as may be provided by the by-laws.

Letters patent.

Style.

Privileges.

SECTION 3. That when twenty per centum on said capital stock shall have been subscribed, and five dollars on each and every share thereof shall have been paid, the commissioners aforesaid, or such of them as shall have acted, shall certify to the governor under their hands and seals, the names of the subscribers, the number of shares subscribed by each, and that five dollars on each share have been paid; whereupon, the governor shall, by letters patent, under his hand and the seal of the commonwealth, create and constitute the said subscribers, and those that may thereafter be associated with them, their successors and assigns, into a body politic and corporate, in deed and in law, by the name, style and title of the Wabank house, on the banks of the Conestoga, in the county of Lancaster, and by that name to have perpetual succession, with all the privileges, franchises and immunities incident to a corporation, and may sue and be sued, implead and be impleaded, complain and defend in all courts of law and equity, of record or otherwise, may make, have and use a common seal, and the same may alter and amend at pleasure, may ordain such by-laws, ordinances and regulations as may be necessary and convenient for the proper government of said corporation, the same not being contrary to the constitution of the United States and this commonwealth; and generally may do all and singular the matters and things necessary for the well being and due management of said corporation; and also as such shall have power to purchase the watering place known as the Wabank house, on the banks of the Conestoga, in the county of Lancaster, and the land and appurtenances thereto belonging, and make such improvements to and upon the same as to said corporation may seem expedient and proper.

Organization.

Election of president and directors

Proviso.

SECTION 4. That as soon as conveniently may be after the said letters patent shall be obtained, the said commissioners who may have assumed the duties mentioned in this act, or any three of them, shall appoint a time and place for the subscribers to meet for the purpose of organizing the association, giving at least three weeks' notice thereof, in at least two newspapers published in the city of Lancaster, and one published in the city of Philadelphia; and the subscribers when met at the time and place so appointed, shall elect by a majority of the votes given in person or by proxy, a president and six directors, who shall manage the affairs and business of the association until the first Monday of July then next ensuing, and until others be chosen: *Provided*, That no person shall be eligible to the office of president or director who does not own at least five shares of stock: *And provided further*, That in case of the death or resignation of the president or any director, the remaining directors may supply the vacancy until the next annual election.

Powers of president and directors

Quorum.

SECTION 5. That the president and directors of said association for the time being, are hereby authorized and empowered to exercise all the powers granted to the corporation; they shall meet at such times and places as they may deem most convenient for the transaction of their business, and when met, four shall be a quorum; the president, if present, shall preside at all meetings, and have the right to vote only in case of a tie; in the absence of the president the board shall appoint a president *pro tem*; they shall keep a minute of their proceedings in

a suitable book, to be provided for that purpose ; shall choose a secretary and treasurer, and may appoint and employ all such officers, agents, superintendents, artizans, workmen, and other persons as in their opinion may be necessary and proper in the management of the affairs and business of said association, at such times, in such manner, and under such regulations as they may determine; they shall fix the salaries and wages of such officers and persons employed by them, and may require bond with security in such sums as they may deem proper, of each and any of said officers, or other persons by them appointed or employed, for the faithful discharge of their duties ; they are also authorized to design, determine and contract for any improvements they may deem necessary for the accommodation of visitors, or the adornment of the ground ; and to lease the property belonging to the corporation, to such lessee or lessees, for such term or terms, and at such annual or other rents as may be determined by the board ; and generally may do all such acts, matters and things as by this act and the by-laws of the association, they may be authorized to do.

Minutes.

Secretary and other officers.

Salaries.

Bonds.

SECTION 6. That dividends of so much of the profits of the company as shall appear advisable to the directors, shall be declared and paid to the stockholders or their representatives, at such times and places as may be provided by the by-laws.

Dividends.

SECTION 7. That the election for directors shall be conducted as follows, to wit : At the first election the commissioners who have acted, or any three of them, shall appoint three stockholders not being candidates, to be judges of the said election, and to hold the same ; and at every succeeding election the directors for the time being shall appoint three stockholders who shall not be directors, nor candidates for the like purpose ; and the persons so appointed by the commissioners or directors shall respectively take and subscribe an oath or affirmation before any officer competent to administer an oath, well and truly and according to law to conduct such election, to the best of their knowledge and ability ; and the said judges shall decide upon the qualifications of voters, and when the election is closed shall count the votes and declare who have been elected, and certify the same at the first election to the commissioners who appointed them, and at all subsequent elections to the directors ; and if at any time it shall happen that an election of directors shall not be held at the time specified, the corporation shall not for that reason be dissolved, but it shall be lawful to hold such election on any day within three months thereafter, by giving at least ten days' previous notice of the time and place of holding such election, in at least one paper published in the city of Lancaster ; and the directors of the preceding year shall in that case continue in office with all the powers belonging to them as such, until others are elected ; each share of stock shall entitle the holder thereof to vote, and each ballot shall have endorsed thereon the number of shares thereof represented ; no proxy shall be received or entitle the holder to vote at any election or general meeting, unless the same shall bear date and have been duly executed within three months next preceding such election or general meeting.

Mode of conducting elections.

SECTION 8. That the annual election of president and directors of said association shall be held at such place as may be fixed by the by-laws, on the first Monday of July in every year, of which notice shall be given by the secretary at least two weeks

Annual elections.

previously, in at least one paper published in the city of Lancaster.

By-laws.

SECTION 9. That the stockholders of said association shall have power at any general meeting for the election of president and directors, or any meeting called for the purpose, to alter or amend the by laws enacted by the board of directors: *Provided*, That notice of the proposed alterations and amendments shall have been given by publication for six weeks previous to said meeting, in at least one paper in the city of Lancaster.

Proviso.

Reservation.

SECTION 10. That the legislature hereby reserve the right to alter, revoke or annul the privileges and charter hereby granted, whenever the same shall become injurious to the citizens of this commonwealth; in such manner, however, that no injustice shall be done to the corporators.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 598.

AN ACT

To incorporate the Fulton Hall Association in the city of Lancaster.

Commissioners.

Duties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Thomas E. Franklin, Reah Frazer, Christopher Hager, David Longenecker, William B. Fordney, Nathaniel Ellmaker, John F. Long, Jacob Bausman, Richard M'Gran, Michael Barry, Michael Malone, Charles Boughter, Thomas Baumgardner, John Black, John F. Shroeder, Henry Christ, or any three or more of them, be and they are hereby appointed commissioners to do and perform the following duties; that is to say, they shall, at such time or times, place or places, and upon such notice as they may deem expedient, open books for the purpose of receiving subscriptions to the capital stock of the association incorporated by this act, and they may adjourn from time to time, and to such places as they may deem proper, until the whole amount of stock authorized by this act shall be subscribed, and if the whole amount of said stock shall not have been taken before the organization of said association, it shall be lawful for the president and directors for the time being, to receive such subscriptions of stock until the whole amount thereof shall be taken.

SECTION 2. That the capital stock of said association shall be fifty thousand dollars, in shares of one hundred dollars each, certificates whereof shall be issued to the subscribers for the number of shares by them respectively subscribed, signed by the president, countersigned by the secretary and sealed with the common seal of said corporation, which stock shall be transferable in person or by attorney, executors, administrators, guardians or trustees, under such regulations and restrictions as may be provided by the by-laws.

Capital stock.

Transfers.

SECTION 3. That when twenty per centum on said capital stock shall have been subscribed, and five dollars on each and every share thereof shall have been paid, the commissioners aforesaid, or such of them as shall have acted, shall certify to the governor, under their hands and seals, the names of the subscribers, the number of shares subscribed by each, and that five dollars on each share have been paid; whereupon the governor shall, by letters patent, under his hand, and the seal of the commonwealth, create and constitute the said subscribers, and those that may thereafter be associated with them, their successors and assigns, into a body politic and corporate, in deed and in law, by the name, style and title of the Fulton hall association, in the city of Lancaster, and by that name to have perpetual succession, with all the privileges, franchises and immunities incident to a corporation, and may sue and be sued, implead and be impleaded, complain and defend in all courts of law and equity, of record or otherwise; may make, have and use a common seal, and the same may alter and amend at pleasure; may ordain such by-laws, ordinances and regulations as may be necessary and convenient for the proper government of said corporation, the same not being contrary to the constitution of the United States and this commonwealth, and generally may do all and singular the matters and things necessary for the well being and due management of said corporation; and also as such shall have power to purchase the place known as Fulton hall, in the city of Lancaster, and appurtenances thereto belonging, and make such improvements to and upon the same as to said corporation may seem expedient and proper.

Letters patent.

Style.

Privileges.

SECTION 4. That as soon as conveniently may be after the said letters patent shall be obtained, the said commissioners, who may have assumed the duties mentioned in this act, or any three of them, shall appoint a time and place for the subscribers to meet, for the purpose of organizing the association, giving at least three weeks' notice thereof, in at least two newspapers published in the city of Lancaster, and one published in the city of Philadelphia; and the subscribers when met, at the time and place so appointed, shall elect, by a majority of the votes given, in person or by proxy, a president and six directors, who shall manage the affairs and business of the association until the first Monday of July then next ensuing, and until others be chosen: *Provided*, That no person shall be eligible to the office of president or director, who does not own at least five shares of stock: *And provided further*, That in case of the death or resignation of the president or any director, the remaining directors may supply the vacancy until the next annual election.

Organization

President and directors.

Proviso.

Proviso.

SECTION 5. That the president and directors of said association for the time being, are hereby authorized and empowered to exercise all the powers granted to the corporation; they shall meet at such times and places as they may deem most expedient

Powers of president and directors.

Quorum.

Minutes.

Secretary and
other officers.

Pay of officers.

Bonds.

for the transaction of their business; and when met, four shall be a quorum; the president, if present, shall preside at all meetings, and have the right to vote only in case of a tie; in the absence of the president, the board shall appoint a president *pro tem.*; they shall keep a minute of their proceedings in a suitable book to be provided for that purpose, shall choose a secretary and treasurer, and may appoint and employ all such officers, agents, superintendents, artizans, workmen and other persons, as in their opinion may be necessary and proper in the management of the affairs and business of said association, at such times, in such manner and under such regulations as they may determine; they shall fix the salaries and wages of such officers and persons employed by them, and may require bond, with security, in such sums as they may deem proper, of each and any of said officers or other persons by them appointed or employed, for the faithful discharge of their duties; they are also authorized to design, determine and contract for any improvements they may deem necessary for the accommodation of visitors or the adornment of the ground, and to lease the property belonging to the corporation, to such lessee or lessees, for such term or terms, and at such annual or other rents, as may be determined by the board, and generally may do all such acts, matters and things as by this act and the by-laws of the association they may be authorized to do.

Dividends.

SECTION 6. That dividends of so much of the profits of the company, as shall appear advisable to the directors, shall be declared and paid to the stockholders or their representatives, at such time and places as may be provided by the by-laws.

Elections how
conducted.

SECTION 7. That the election for directors shall be conducted as follows, to wit: At the first election, the commissioners who have acted, or any three of them, shall appoint three stockholders, not being candidates, to be judges of the said election, and to hold the same; and at every succeeding election, the directors for the time being shall appoint three stockholders, who shall not be directors nor candidates, for the like purpose, and the persons so appointed by the commissioners or directors shall respectively take and subscribe an oath or affirmation, before any officer competent to administer an oath well and truly, and according to law, to conduct such election to the best of their knowledge and ability; and the said judges shall decide upon the qualifications of voters, and when the election is closed shall count the votes, and declare who have been elected, and certify the same, at the first election to the commissioners who appointed them, and at all subsequent elections to the directors; and if at any time it shall happen that an election of directors shall not be held at the time specified, the corporation shall not for that reason be dissolved, but it shall be lawful to hold such election on any day within three months thereafter, by giving at least ten days' previous notice of the time and place of holding such election, in at least one paper published in the city of Lancaster, and the directors of the preceding year shall in that case continue in office, with all the powers belonging to them as such, until others are elected; each share of stock shall entitle the holder thereof to vote, and each ballot shall have endorsed thereon the number of shares thereof represented; no proxy shall be received, or entitle the holder to vote at any election or general meeting, unless the same shall bear date, and have been duly executed

within three months next preceding such election or general meeting.

SECTION 8. That the annual election of president and directors of said association shall be held at such place as may be fixed by the by-laws, on the first Monday of July in every year, of which notice shall be given by the secretary, at least two weeks previously, in at least one paper published in the city of Lancaster. Annual elections

SECTION 9. That the stockholders of said association shall have power, at any general meeting for the election of president and directors, or any meeting called for the purpose, to alter or amend the by-laws enacted by the board of directors: *Provided*, That notice of the proposed alterations and amendments shall have been given, by publication, for six weeks previous to said meeting, in at least one paper in the city of Lancaster. By-laws. Proviso

SECTION 10. That the legislature hereby reserve the right to alter, revoke or annul the privileges and charter hereby granted, whenever the same shall become injurious to the citizens of this commonwealth; in such manner, however, that no injustice shall be done to the corporators. Reservation.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 599.

AN ACT

To incorporate the Dime Savings of Easton.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Thomas M'Keen, Mathew Hale Jones, Jacob Wagner, Peter F. Eilenberger, John Davis, Philip H. Mattes, John N. Hutchinson, Philip Johnson, Benjamin Ihrie, Abraham Miller, George Finley, George W. Stein, Maximilian Goepf, George W. Housel, Carman F. Randolph, Jacob H. Wilking, George Eckert, George W. Barnet, Benjamin M. Youell, Theodore R. Sitgreaves, Peter Winber, Christopher Nicholas, John A. Innes, Josiah P. Hebrick, David Garriss, Jacob C. Hagenbuck, John G. Shimer, Charles Flemming, Jacob Cope, Philip Mixsell, junior, Christian Colmar, Peter Pomp, Josiah Cole, Thomas Bishop and their Corporators.

	successors, be and they are hereby made and created a corporation and body politic, by the name and style of the Dime savings of Easton, and by that name shall have perpetual succession, and by law be capable to hold and dispose of property, to sue and be sued, plead and be impleaded, answer and defend in courts of law or equity, or in any other place whatsoever, and to make, have and use a common seal, and the same to alter and renew at pleasure, and generally to do every act and thing necessary to carry into effect the provisions of this enactment, and promote the object and design of this act of incorporation, to be located in the borough of Easton: <i>Provided</i> , That a misnomer of the said corporation in any instrument, shall not vitiate the same, if the intent of the parties can be clearly ascertained: <i>And provided further</i> , That nothing in this act contained shall be so construed as to confer upon the said corporation banking privileges, or so as to exempt the same from the operation of the laws of this commonwealth, prohibiting the issuing of bank notes or engagements of credit in the nature thereof.
Style.	
Privileges.	
Proviso.	
Proviso.	
Business of corporation.	SECTION 2. That the business of the said corporation shall be to receive on deposit, from time to time, such sums of money not less than ten cents, as may be offered by boatmen, tradesmen, clerks, mechanics, laborers, servants, minors, married women and others, and to invest the same in the stocks of this commonwealth, or of the United States, or in stocks or bonds of any city authorized to be issued by any act of the legislature of this commonwealth, or in other stocks, or in bonds and mortgages or other choses in action well secured; the said corporation shall receive all sums of current money that may be offered as aforesaid, and shall invest the same in manner aforesaid, as soon as practicable; they shall allow to the depositors interest upon the deposits, to be regulated by the trustees as hereinafter provided, and they shall pay the amounts deposited with the interest thereon, or any part thereof, not less than ten cents nor more than fifty dollars, to the depositors at the place of business of the said corporation, at any time during business hours, on demand: <i>Provided however</i> , That not more than fifty dollars shall be paid to any one depositor upon any one day, unless a written notice of the same, intended to be demanded, shall have been given at least ten judicial days before the time when such payment is desired to be made: <i>And provided further</i> , That not more than one thousand dollars shall be received from any one depositor in any one year.
Investments.	
Interest.	
Proviso.	
Proviso.	
Real estate.	SECTION 3. That the real estate which it shall be lawful for the said corporation to hold, shall be such only as is requisite for their accommodation and the convenient transaction of their business, and such as they may find it necessary to purchase, either at judicial sales or otherwise, to secure the debts due to them.
Election of trustees.	SECTION 4. That the persons named in the first section of this act, or any thirteen of them, shall elect by ballot thirteen persons, either from among those named in this bill or others, to be the first trustees of the said corporation, no person to be considered elected unless he shall have received the affirmative vote of at least seven of the said corporators. That vacancies by death, resignation or otherwise, shall be filled by the board of trustees as soon as practicable, by an affirmative vote of at least seven of their number, at an election to be held by ballot. That
Vacancies.	

the said trustees shall select from among themselves a president and vice president, and shall appoint such other officers as they may deem necessary; that eight of the said trustees shall form a quorum, and that the affirmative vote of at least seven shall be requisite to authorize the sale or transfer of securities or the appointment of any officer receiving compensation; that the president, vice president, or any trustee or any officer or servant of the said corporation, shall not, directly nor indirectly, borrow the funds of the said corporation nor any part thereof, nor use the same nor any part thereof, in any other manner than that hereinbefore provided, except for the payment of the necessary expenses, under the direction of the board of trustees; that the said trustees shall meet regularly at least once a month, and that any trustee omitting to attend the said regular meetings for six successive months, may, by a vote of the board, be declared to have vacated his office; that the said trustees shall have power to enact by-laws, not contrary to the constitution of the United States, the constitution of this commonwealth, or to the provisions of this act, and to alter the same from time to time, as they may deem expedient.

Officers.

Quorum.

Officers not to borrow funds.

Meetings of trustees.

By-laws.

SECTION 5. That the trustees shall regulate the rate of interest upon the deposits, so as to divide, as nearly as may be, the profits, after deducting necessary expenses, among the depositors; that the trustees shall annually publish the rate of interest, which shall at no time be less than four per centum; that interest shall not be allowed to any depositor until his deposit amounts to three dollars, the interest to be estimated by calendar months only, and no interest to be allowed for a fraction of a month. Every additional sum, amounting to two or more dollars, that may be deposited thereafter to the credit of any one of said depositors, shall bear interest in the same manner that deposits made by minors or married women may be repaid to them, and their receipts shall discharge the said corporation from any further claims for the sums so repaid; that of the surplus profits the trustees shall invest twenty-five thousand dollars for the security of the depositors, and shall annually distribute the residue equitably among the depositors; that they shall, in the month of January in each year, report to the legislature the aggregate amount of deposits on hand, with the interest which has accrued thereon, and also the unclaimed deposits on which at least the sum of ten dollars shall then be due, and which shall have been deposited by persons who have not, within the two years next preceding said report, made a deposit or received a payment of interest, or otherwise, from the said corporation.

Interest on deposits.

Reports to legislature.

SECTION 6. That the officers and agents of the said corporation shall give such security for their fidelity and good conduct as the board of trustees may require; that in all cases of loans upon real estate, the expenses of searches, examinations and certificates, and recording papers, shall be paid by the borrower; that the books of the said corporation shall at all times, during business hours, be open for the inspection and examination of such person or persons as the legislature shall designate or appoint as their agent for that purpose; that the said corporation shall be subject to the supervision and control of the court of common pleas of the county of Northampton and the supreme court of Pennsylvania, according to the provisions of the con-

Official bonds.

Inspection of books.

stitution of this commonwealth and the several acts of assembly conferring equity jurisdiction upon the said courts.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 600.

AN ACT

To incorporate the Johnstown Iron Company.

Corporators.

Style.

Capital stock.

Affairs, how managed.

Proviso

Powers and privileges

By-laws

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* George Rhey, Levi Matthews, Christian Ihonsen, Morris Jones and N. Grattan Murphy, and such other persons as shall be associated with them and their successors, be and the same are hereby erected into a body corporate and politic, by the name, style and title of the Johnstown iron company, with a capital stock of two hundred and fifty thousand dollars, with power to increase the same to five hundred thousand dollars, to be divided into shares of one hundred dollars each.

SECTION 2. That the affairs of said company shall be managed by a board of five directors, one of whom shall be the president, who shall be chosen by the stockholders; the first election shall be held within six months after this act shall take effect, of which election public notice shall be given at least four weeks in one newspaper published in the county of Cambria, and subsequent elections shall be held at such time and place, annually, as the directors shall determine, of which the same notice shall be given; all elections shall be by ballot, and every share of stock subscribed and paid in, shall entitle the holder to one vote, in person or by proxy: *Provided, That* in case of failure to hold an election under this act, the former directors shall continue in office until their successors be duly elected, and in case of resignation or death of any director, the remaining directors shall elect a person to serve until the next annual election.

SECTION 3. That this corporation shall have authority to hold and use a common seal, and the same to change, alter and amend at pleasure, and by the style and title aforesaid; shall be capable in law to sue and be sued before any court in this commonwealth, and may do and make all needful rules, regulations and by-laws, for the well ordering of the business affairs of the cor-

poration, so that the same in nowise conflict with or be contrary to the laws and constitution of the commonwealth, or of the United States.

SECTION 4. That the said corporation, by the name aforesaid, may hold in Cambria and adjoining counties, lands not exceeding five thousand acres at one time, with power to mortgage, sell, lease or otherwise dispose of the same, or any part thereof; and the capital of the company may be employed in mining ore, making and manufacturing iron, mining coal and limestone, and transporting and vending the same, and for such other objects as may be necessary in the prosecution of said business.

May hold land.

Mining privileges

SECTION 5. That the stock may be transferred agreeably to the by-laws which may be adopted by the corporation.

Transfers of stock.

SECTION 6. That dividends may be declared and paid, whenever the directors deem it advisable, but said dividends shall in no case exceed the amount of actual profits acquired by the corporation; and if the directors shall make a dividend of more than the actual net profits, the directors consenting thereto shall severally be liable to the corporation, in their individual capacity, for the excess so divided and paid; and the said company shall pay into the treasury of the state a bonus of one-half of one per centum upon the amount of the capital stock, and any increase of the same, payable in four annual instalments, the first whereof shall be paid in one year from the date hereof.

Dividends.

SECTION 7. That the stockholders of said company shall be jointly and severally liable, in their individual capacities, for debts due mechanics, workmen and laborers employed by said company, and for provisions, country produce and furnished for said company.

Liability of stockholders.

SECTION 8. That this act shall not take effect until five hundred shares shall be subscribed and paid in, of which a statement, containing the names of the subscribers and the amount subscribed by each, shall be given to the governor, to be filed in the office of the secretary of the commonwealth, whereupon the governor shall issue letters patent to the corporators.

When this act shall take effect.

SECTION 9. That subscriptions of stock may be paid in real and personal estate, appropriated to the business contemplated by this act, at a *bona fide* cash valuation, to be agreed upon by a majority in interest of the subscribers and stockholders; and the said corporation may issue bonds and sell the same at their market value, notwithstanding it may be less than par; but no bond shall be issued for a less sum than one hundred dollars.

Payment of subscriptions.

SECTION 10. That the legislature hereby reserves the right to amend, alter or repeal this charter at any time; in such manner, however, as shall not do injustice to the corporators.

Reservation.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 601.

AN ACT

To incorporate the Combula Improvement Company.

Preamble.

WHEREAS, The amount of capital necessary to reach and develop the white ash and most valuable strata of coal in the heart of the Schuylkill basin, is beyond the means of any single individual, either as lessee or owner of coal land in said basin :

And whereas, It is essentially beneficial to the interests of the people residing in, and owning real estate within the limits of the said basin, and especially to the towns therein, that the same should be fully developed, so as to prevent the business and trade consequent upon the mining operations from being diverted to other regions ; therefore,

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Edward B. Hubley, Samuel Bell, Burd Patterson, Francis S. Hubley, Doctor Isaac Hiester, Elijah Thompson, Thomas H. Walker, and their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the

Style.

name, style and title of the Combula improvement company, and by that name shall have succession and be capable in law of holding coal lands in East Norwegian and Blythe townships, Schuylkill county ; may sue and be sued, plead and be impleaded in the courts of law and equity ; may have a common seal, which they shall have power to alter and renew at pleasure, and may receive, execute and deliver all such instruments of writing, and do such acts and things necessary to promote the objects and designs of said company, as are authorized by this act.

Privileges.

Business of corporation.

SECTION 2. That the purpose and business of said company shall be the opening and proving the coal and other minerals, on or in the land held or acquired as aforesaid, by means of shafts or otherwise, the construction and erection of breakers, schutes, screens, dwelling houses and other necessary buildings, the fitting and preparing the said coal and other minerals for working and mining, and the making and constructing railroads over and upon the land held by them.

May hold lands, &c.

SECTION 3. That the said company shall have power to hold any quantity of coal and timber land in the townships and county aforesaid, not exceeding two thousand acres ; and may lease the same in whole or parcels, as may be most advantageous to individual lessees, for the purpose of mining and operating upon the same ; but the said company shall not carry on mining as a corporation, after having fully opened, developed and prepared the same for mining purposes.

Land to form a common stock.

SECTION 4. That the land of the said company shall form a common stock, and be divided into a convenient number of shares, and apportioned by said company among the subscribers according to their respective interests, for which certificates of stock shall be issued, and transferable and assignable in such

Certificates.

way, and subject to such conditions as the said company may from time to time prescribe; and the said shares of stock so created shall for all legal purposes whatever, be deemed and treated as personal estate.

SECTION 5. That the stockholders shall annually elect five directors for the management of the affairs of the company, at such time and place, and such notice as may be fixed by the by-laws of the company, to serve for one year, and until others are elected; and the company shall not be dissolved by reason of a failure to elect such directors at the proper time and place; the election shall be conducted by ballot, and such of the stockholders of the company as shall attend for that purpose, shall be entitled in person or by proxy to one vote for each share of stock, and the directors shall elect one of their number president of the board, and shall have full power to make by-laws and to appoint such officers and agents as they shall deem expedient for the well conducting and management of the said company, declare and provide for the payment of the dividends to the holders of shares, and in general to superintend the business of the company: *Provided*, That such by-laws shall not be repugnant to the constitution and laws of this commonwealth.

SECTION 6. That the capital of the said company shall be five hundred thousand dollars, divided into shares of fifty dollars each; and the said company are hereby authorized to issue bonds for any amount not exceeding two hundred and fifty thousand dollars: *Provided*, That no bond shall be issued for a less amount than one hundred dollars: *Provided*, That said company shall be liable for, and pay the tax, and its stockholders be subject to the same individual liabilities as provided by the act of the twenty-first April, eighteen hundred and fifty-four, entitled "An Act to enable joint tenants and tenants in common, and adjoining owners of mineral lands in this commonwealth, to manage and develop the same."

SECTION 7. That this act shall extend for a term of twenty years and no longer.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 602.

AN ACT

To incorporate the Reading Savings Bank.

- SECTION 1.** *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*
- Corporators.** William Umbenhauer, Hiram C. Ritter, William Ermentrout, Adam Leize, Augustus F. Boas, E. Penn Smith, Edward M. Clymer, Joseph A. Snyder, David Yoder, Solomon Yoder, Jacob Dick, Henry P. Robinson, George D. Stitzel, Joseph Henry and Charles H. Hunter, William M. Baird, J. Bowman Bell, Lewis H. Wunder and Dr. Edward Wallace, and all and every other
- Style.** person or persons hereafter becoming stockholders of the Reading Savings Bank, shall be and hereby are created a corporation and body politic in law and in fact, by the name and style of
- Privileges.** the Reading Savings Bank, and by that name shall be able to sue and be sued, plead and be impleaded in all courts of law and equity, and elsewhere, and to purchase, have and hold to them and their successors, lands, tenements and hereditaments, rents, goods, chattels and effects of whatsoever nature or kind, and the same at any time to sell, grant and dispose of, and to make, execute and deliver all proper and legal conveyances and assurances, and to receive the same; and also to make, have and use a common seal, and the same to break, alter and renew at pleasure; and also to ordain, establish and put in execution, all such by-laws, ordinances and regulations as may appear necessary and fit to subserve the interests of the institution, not being contrary to the constitution or laws of the United States, or of this commonwealth, and generally to do and perform, or have done and performed all acts, matters and things in relation to the business thereof, which a corporation may or can lawfully do:
- Proviso.** *Provided,* That the clear yearly value of the real estate so held, except such as shall have been bona fide mortgaged to the said corporation by way of security, or conveyed to it in satisfaction of debts contracted in the course of its business, or purchased at sales upon judgments obtained for such debts, shall not exceed the sum of ten thousand dollars.
- Deposits.** **SECTION 2.** That the said institution shall have authority to receive as deposits from all persons who shall offer the same, any sum or sums, not less than ten cents, to be paid to such depositor when required, or at such other times, and with such interest and under such regulations as the directors in the by-laws may prescribe, which regulations shall be put up in some conspicuous part of the office in which the business of the institution may be transacted; and the said corporation shall be at liberty to return the deposits of any individual, with his interest, and close his account on giving him four weeks' notice thereof.
- Guaranty capital** **SECTION 3.** That for the security of the depositors of the said institution, it shall be the duty of the persons named in the first section, and such others as may become members of the institu-

tion previous to the granting of letters of incorporation, to raise and form a capital of not less than ten or more than fifty thousand dollars, in shares of fifty dollars each, which capital shall at all times be liable to the depositors for the amount of their deposits and the interest accruing thereon; the shares to be transferable on the books of the institution, in such manner as may be designated by the by-laws of said institution.

SECTION 4. That the said corporation shall have authority to invest its funds in public or other stocks of this state or of the United States, or real securities, or in the discount of notes and personal securities: *Provided*, That the rate of discount at which loans may be made by this corporation, shall not exceed one-half per centum for thirty days; the directors of the said corporation shall have power to prescribe by by-laws, the form of the certificates to be issued to depositors, and the mode of making them transferable, and to provide for the investment of the funds of the corporation in such manner as shall be deemed by them appropriate and safe: *Provided*, That the total investments and discounts of said bank shall not exceed the aggregate amount of its deposits and capital stock paid in: *And provided further*, That nothing herein contained shall be so construed as to give or extend to said institution the power of issuing its own notes in the nature of bank notes, for circulation.

Investment of funds.

Proviso.

Proviso.

SECTION 5. That said savings bank shall not directly or indirectly, purchase or receive the notes of any other bank at less than their par value, nor directly nor indirectly pay out in the purchase or discount of any note, draft, bill of exchange or other negotiable paper, or bond, or in the payment of any deposit any thing but gold or silver coin, or checks or notes, payable on demand in specie, at some of the specie paying banks of this state, which shall keep their notes at par, as required by the forty-seventh section of an act regulating banks, passed the sixteenth day of April, one thousand eight hundred and fifty; and any such transaction shall be deemed usurious, and the parties thereto liable to all the penalties provided by law, for the taking of more than six per centum per annum.

Acts prohibited and duties enjoined.

SECTION 6. That the business of the said institution shall be managed and conducted by seven directors, to be chosen in the manner hereinafter mentioned, five of whom shall form a quorum to do business, they shall choose from their own number a president, and appoint a cashier, and the office of said institution shall be in the city of Reading.

Business. Low conducted

SECTION 7. That the cashier shall give bond to the president and directors of the institution, in such sum as they may deem proper, with two or more sufficient sureties, conditioned for the faithful performance of all the duties enjoined on him; he shall be the receiver of all moneys of the institution, and shall disburse and pay the same under such rules as may be established by the president and directors, and may be removed at the pleasure of the said president and directors.

Bond of cashier.

SECTION 8. That there shall be a meeting of the corporators of the Reading Savings Bank on such day in the month of June next, at such place within the city of Reading, as a majority of the persons named in this act shall appoint, for the purpose of choosing from among the members seven directors, to manage the affairs of the said institution for twelve months thereafter, and until a new election shall take place; all future elections

Election of directors.

shall be held in such manner and at such times as the by-laws shall provide.

Auditing committee.

SECTION 9. That it shall be the duty of the directors at least once in every six months, to appoint from the stockholders of the said corporation, three competent persons as a committee, to examine the affairs of the said corporation, and to make report thereof; and it shall also be the duty of the directors on the first Mondays of May and November in each year, to make and declare a divided of the interests and profits of said corporation after paying its expenses and reserving a fund for contingencies, and the same to pay over to the stockholders or their legal representatives within ten days thereafter; and they shall make and return a just and full exhibit of the affairs of said bank, in accordance with the provisions of the twelfth section of the act regulating banks, passed the sixteenth day of April, one thousand eight hundred and fifty.

Dividends.

Report.

Liability of stockholders.

SECTION 10. That the stockholders of the said savings bank shall be individually liable for the debts of the same, which liability shall be enforced in the same manner provided for the enforcing individual liability of stockholders of banks, by the act of the sixteenth day of April, Anno Domini one thousand eight hundred and fifty, entitled "An Act regulating banks;" and any officer or agent of said savings bank who shall embezzle or appropriate to his own use without authority, any of the funds of the said bank, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not less than the amount so embezzled or appropriated, and shall be imprisoned in the Berks county prison, for any period not less than six months or more than two years, at the discretion of the court.

Punishment of embezzlement.

Limitation of charter

SECTION 11. That this charter shall continue in force for a period of fifteen years, but the legislature reserves the right to repeal, alter or amend the same at any time, when they shall deem it necessary for the public good: *Provided however*, That no injustice be done to the corporators.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 603.

SUPPLEMENT

To an act to incorporate the Windsor Haven Bridge Company, approved April seventh, Anno Domini one thousand eight hundred and forty-nine.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the time for commencing the erection of bridge at Windsor Haven, shall be extended until the expiration of two years from the passage of this supplement; and the time for the completion of the same shall be extended for four years from the passage of this supplement.

Time for building bridge extended.

SECTION 2. That the company, after the completion of the said bridge, shall be authorized to demand the same tolls as are authorized to be demanded by the company, entitled "The president, managers and company of the Schuylkill bridge, at or near Mohr's tavern," incorporated under an act of assembly, approved the seventeenth day of May, one thousand eight hundred and thirty-six.

Tolls.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 604.

AN ACT

To incorporate the Farmers' and Mechanics' Fire, Marine and Life Insurance Company of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That there shall be and is hereby established at the city of Philadelphia, in the county of Philadelphia, an insurance company, with a capital of three hundred thousand dollars, to be divided into shares of fifty dollars each, and subscribed and paid by individuals, companies or corporations, in the manner hereinafter

Capital stock.

Style.

Privileges.

Proviso.

Insurances

Investment of
stock, funds, &c.

Management.

Annual elections.

specified, which stockholders and subscribers, and their successors, shall be and are hereby created a body corporate and politic, with perpetual succession, by the name and style of the Farmers' and Mechanics' Fire, Marine and Life insurance company of Pennsylvania, and by that name shall be capable of contracting and being contracted with, of suing and being sued, of pleading and being impleaded, in all courts and places, and in all matters whatsoever, with full power and authority to hold, possess, use, occupy and enjoy all such real estate as shall be necessary or convenient for the transaction of business, or which may be conveyed to said company for security, or in payment of any debt that may become due or owing to the same, or in satisfaction of any judgment of a court of law, or any order or decree of a court of equity in their favor, and the same real estate to sell, convey and dispose of; and said corporation may have and use a common seal, and the same may change, break, alter or renew at pleasure; and also may make, ordain, establish and put in execution such by-laws, ordinances, rules and regulations as shall be necessary for the government of said company, and for the prudent and efficient management of its affairs: *Provided*, That the same be not contrary to the constitution and laws of this state or of the United States.

SECTION 2. That the corporation hereby created shall have power and lawful authority to insure all kind of property against loss or damage by fire, or any cause or risk; to make all kinds of insurance against loss or damage of goods, merchandize or other property in the course of transportation by land, water or otherwise, and on any vessels, or boats, or other water-craft, wherever they may be; to make all kinds of insurance upon life or lives; to lend money on *bottomry* or *respondentia*; to cause themselves to be insured against any loss, damage or risk in the course of their business, and generally to do and perform all other matters and things connected with and proper to promote their objects.

SECTION 3. That it shall be lawful for said company to invest any part of their capital stock, money, funds or other property in any public stocks or funded debt created or to be created by or under any laws of this or any other state, or of the United States, the same to sell, transfer or exchange at pleasure, and again to invest the same, or any part thereof, in such stocks or funds, whenever and as often as said company may deem it expedient, or they may loan the same to individuals or corporations, on real or personal security, or deposit the same with any banking or savings institution, with or without interest, for such time, and on such terms, and under such restrictions, as the directors of said company, for the time being, shall deem most expedient.

SECTION 4. That the real and personal estate, business, property, funds and prudential concerns of said company, and the administration of its affairs shall be under direction, management and control of a board of ten directors, who shall be stockholders and residents within the county of Philadelphia, and after the first election they shall be elected by the stockholders, on the second Tuesday of April, annually, at such hour and place within the city of Philadelphia, as the directors, for the time being, shall appoint, of which five days' notice in at least one newspaper published in the said city shall be given; and they shall hold their office one year, or until their successors

shall have been chosen, the election shall be by ballot, and a majority of all the votes polled shall be necessary to a choice; which votes shall be received and counted in public, by and under the direction of three stockholders, not directors at the time, to be previously designated by the board of directors for that purpose; and at every such election, and all meetings of the stockholders held in pursuance of the provisions of this act, each share shall be entitled to one vote; and after the first election no share shall entitle the holder thereof to a vote, unless the same shall have been held by said shareholder for at least three calendar months previous to the day of election; all stockholders absent from any meeting may vote by proxy, such proxy being a stockholder and present at the time of voting; and in case it should by any means happen that an election should not be held on any day required by the provisions of this act, the said corporation shall not for such cause be deemed to be dissolved, but it shall be lawful for said company to hold an election on any other day, in such manner as they may provide by by-laws or ordinance.

SECTION 5. That the directors chosen under the provisions of this act shall, as soon as may be after the first election, and after every annual election, elect from their own body a president, who shall preside in the board until the next annual election, and in case of his death, resignation or otherwise failing to perform the duty, the board shall appoint a president *pro tempore*, they shall fill all vacancies that may occur in their own body during the time for which they shall have been elected, and shall appoint a secretary and all subordinate officers, clerks and agents of said corporation, define their powers and prescribe their duties, (who shall hold their several appointments during the pleasure of the board,) make such by-laws, rules and regulations for the government of themselves and their officers and agents, in the management of the affairs of the corporation, as to them shall seem needful and proper, not inconsistent with the laws of this state, and the by-laws of the stockholders adopted at any regular meeting; they shall hold stated meetings as often as once in every month, on such day of the month, and at such hour of the day as they from time to time shall appoint, and at such other times as the president, for the time being, shall direct; four of the directors shall constitute a board for the transaction of business, and all questions before the board shall be decided *viva voce*, by a majority of the directors present, any two of whom may require the yeas and nays to be taken on any question submitted, and entered on record in the journal of their proceedings.

SECTION 6. That all policies or contracts of insurance that may be made or entered into by said corporation, shall be subscribed by the president, or such other officer as shall be designated for that purpose by its by-laws, and attested by the secretary, and being so signed and attested, shall be binding and obligatory on said corporation without the seal thereof, according to the true intent and meaning of such policy or contracts; and the secretary shall, at every annual election or other general meeting of the stockholders, lay before them a correct statement of the condition and affairs of said company.

SECTION 7. That the stock of the said company shall be assignable and transferable, on the books of the same or otherwise, according to such rules and by-laws, and subject to such

President

Vacancies.

Secretary.

By-laws.

Meetings.

Quorum.

Yeas and nays.

Policies.

Annual statement.

Transfer of stock.

restrictions and limitations as the stockholders, at a general and regular meeting, may from time to time adopt and establish.

General meeting
of stockholders.

SECTION 8. That the board of directors, or any number of stockholders, being the owners of at least five hundred shares, may at any time call a general meeting of the stockholders on any business interesting to the company, by giving at least one week's notice in a daily, or two weeks' notice in a weekly paper published in Philadelphia, of the time, place and object of such meeting.

Commissioners.

SECTION 9. That John Todd, Charles Dingee, James E. Neall, Edward R. Helmbold, Thomas W. Brown, F. Carroll Brewster, Lewis S. Heins, John W. Sexton, William Wilson, William W. Watt, junior, David Armstrong, George H. Armstrong, John H. Malloch, William Helmbold, Casper S. Williamson, Joseph Hughes, Thomas Waterman, James H. Montgomery, George C. Helmbold, Daniel Todd, of Philadelphia county, or any four of them, be and they are hereby authorized, after giving one week's public notice in one daily newspaper published in the city of Philadelphia, to open books at the office of George C. Helmbold, in the city of Philadelphia, for the subscription of the capital stock of said company, at such time as they may designate, and the same to keep open from day to day, (Sundays excepted,) between the hours of ten o'clock in the forenoon and three o'clock in the afternoon, or until at least two thousand shares of stock shall be subscribed for, after which time it shall be lawful for the subscribers to meet, five days' notice of the time and place being previously given in at least one newspaper of the city of Philadelphia, and choose the first board of directors, who shall continue in office until the next annual election.

Duties.

Subscriptions to
stock may be re-
ceived by direc-
tors.

SECTION 10. That if the whole number of shares authorized by this act shall not be subscribed for at the opening of the books authorized by the ninth section of this act, the directors of said company shall have power, from time to time, whenever they shall deem it expedient, to re-open the said books at the office of the company, and the same to keep open until the whole number or any portion of the remaining shares shall have been subscribed for: *Provided*, That no less than five days' public notice shall be given of such re-opening, by publication in at least one daily newspaper published in the city of Philadelphia, designating the time of such re-opening and the number of shares to be disposed of.

Provido.

Payment of stock
regulated.

SECTION 11. That the payment of said stock shall be made by the subscribers respectively, at such times and in such manner as the stockholders, at any general meeting of the directors for the time being, shall require: *Provided*, That at least five dollars shall be paid on each share at the time of subscribing: *Provided also*, That before the company shall make any contract or policy of insurance, there shall be paid, or satisfactorily secured to be paid, on demand, in money, endorsed notes, mortgages or real estate, hypothecated stock not of said company, or other property, including the amount paid at subscribing, not less than fifty thousand dollars, which amount, and all balances that may remain unpaid of the capital stock subscribed, shall be subject to the call of and disposable by the directors, as the exigencies or interest of the company may require.

Provido.

SECTION 12. That if any subscriber or stockholder shall neglect or refuse to pay any instalment of the stock when called

for by the board of directors, they may, after thirty days' public notice thereof, sell at auction so much of the property pledged or given in security for the payment of said stock, or so many of the shares of such delinquent stockholders as shall be necessary to pay such instalment or instalments, and the expense of sale and transfer, or convey the same by deed or otherwise to the purchaser; or they may recover the same by suit, in their corporate name, against such delinquent, without delay or stay of execution: *Provided*, That if any shares of the capital stock shall be sold in manner aforesaid, the purchaser, before any assignment thereof, shall pay or cause to be paid, in manner aforesaid, any balance which shall be due thereon.

Penalty for neglecting to pay instalments on stock.

Proviso.

SECTION 13. That the Legislature reserves to itself the power to alter, revoke or annul the same, whenever, in their opinion, it may be injurious to the citizens of this commonwealth; in such manner, however, that no injustice shall be done to the corporators.

Reservation

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 605.

AN ACT

Authorizing the Governor to incorporate the Minersville Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Richard Kear, Gideon Bask, William De Haven, D. P. Brown, Joseph F. Taylor, Joseph C. Wright, Charles W. Taylor, James H. Campbell, S. D. Ball, Elijah Hammer, T. B. Hale, Charles Miller, Thomas Kimber, John Brock, James Dundas and George Spencer, or any three of them, are hereby appointed commissioners for receiving subscriptions to the capital stock of a company to be denominated the Minersville water company, and for that purpose they shall procure a suitable book and enter in it as follows: We, whose names are hereto subscribed, promise to pay to the Minersville water company the sum of twenty-five dollars for each and every share of stock set opposite to our respective names, in such manner and in such proportions, and at such times as shall be determined by the president and managers of the said company, in pursuance of the

Commissioners.

Their duties.

act of assembly authorizing the governor to incorporate the said company. Witness our hands and seals the day of Anno Domini one thousand eight hundred and fifty-five; and after they shall have given notice in at least two newspapers published in the county of Schuylkill, for the space of ten or more days of the time and place within the borough of Minersville, in said county, they shall open the said book to receive subscriptions for the stock of the said company, at which time and place one or more of said commissioners shall attend and permit all persons of lawful age to subscribe for shares of said stock, until ten thousand shares shall have been subscribed, and the said commissioner or commissioners who shall be present, shall have power to adjourn from time to time, and to any place they may think proper or expedient, until the said stock or such part thereof as shall be necessary for the purpose as hereinafter provided, shall have been subscribed; and the officers of the said company, after the same shall have been organized may at any time afterwards, open said book for the subscription of shares, until the whole number of shares as aforesaid, shall have been subscribed, if so many shall be required to carry into effect the purposes of this act: *Provided*, That every person offering to subscribe in the said book, in his or her own name, or in the name of any other person, shall previously pay to the attending commissioner, commissioners or officers, as the case may be, five dollars for every share so to be subscribed, for which shall be paid over to the treasurer of the said company, after deducting the expenses of taking said subscriptions and other incidental charges, as soon as the same shall be organized, as hereinafter provided.

Proviso

SECTION 2. That when two thousand four hundred shares of said stock shall have been subscribed for, and the said sum of five dollars paid on each and every share so subscribed for, the said commissioners, or any three of them, shall certify the fact to the governor of the commonwealth, with the names of the subscribers, and the number of shares by each of them subscribed, and the amount paid thereon; whereupon the governor shall, by letters patent, create and erect the subscribers, and such who may afterwards subscribe, to the number of ten thousand shares, into a body politic and corporate in law, by the name, style and title of the Minersville water company, in which name they may sue and be sued, and have perpetual succession, may purchase, receive and have to them and their successors all goods, chattels and estates, real and personal, as may be necessary and proper for carrying into effect the objects and purposes of this incorporation, and the same from time to time to sell, mortgage or otherwise dispose of; make dividends of the profits, as they may deem proper, and to make and use a common seal, and the same to alter and renew at pleasure, and to ordain, establish and put in execution such by-laws, ordinances and regulations as shall be necessary and convenient for the government of the said company, and the preservation and security of their property, not being contrary to the constitution or to the laws of the United States or of this commonwealth; and if penalties shall be inflicted by any such by-laws, they shall be recovered as debts of like amount are recoverable, or punished as like offences are punished, and generally to do all matters and things which lawfully appertain for them to do for the well being of the said company: *Provided*, That nothing

Letters patent

Style

Privileges.

Proviso.

herein contained shall be considered as in any way giving to said company any banking privileges whatever, or any franchises but such as are or may be necessary or incident to the supply and distribution of water in the borough of Minersville and its vicinity.

SECTION 3. That the affairs of the company shall be conducted by fifteen managers, who shall be stockholders in the said company, nine of whom at least shall be residents of the said borough of Minersville; the election for said managers shall be held annually on the second Monday of January, between the hours of ten o'clock, A. M. and four o'clock, P. M., in the said borough; and the managers so elected, shall elect from among their number one, who shall also be a resident of the said borough, who shall be president of the said board and of the company; they shall also elect a treasurer, who shall be a resident of said borough and a stockholder in said company, but not a member of said board, and they shall also elect or appoint all such other officers and agents as they may deem necessary for conducting the business of said corporation, who shall perform the duties of their respective offices until they shall be re-elected, removed from office or their successors shall be chosen; the said managers shall allow the persons so elected or appointed such compensation for their services, respectively, as they shall deem reasonable, and generally to exercise all other powers and authorities for the well governing and ordering of the affairs and funds of the said corporation as this act confers or allows, or as hereafter may be conferred or allowed by the laws, regulations and ordinances of the said corporation; in case of vacancies in the board of managers, or in any office of said company, the managers shall supply the same from among such as may be eligible to the position vacated, according to the qualifications aforesaid, until the next annual election; in all the meetings of the said board of managers, any five of them shall constitute a quorum, and in the absence of the president, either at a meeting of the managers or of the stockholders, a president *pro tempore* shall be chosen from among those then met.

Affairs how managed.

Elections.

Treasurer.

Officers.

Their pay.

Vacancies.

Quorum.

SECTION 4. That at all elections for managers the votes of the stockholders shall be by ballot, each stockholder to be entitled to one vote for each and every share of stock *bona fide* held by him or her; no stockholder shall vote by proxy except where his or her proxy produces satisfactory written authority to those who may hold such elections, of a right to vote for the stockholder so represented; nor shall any stockholder be entitled to vote unless the share or shares held by him or her shall have been standing in his or her name, on the books of the said corporation, for three or more months previously to said election, (excepting the first election;) the place within the said borough of Minersville, and the manner of holding all the elections (excepting the first) of said company, shall be more particularly specified in the by-laws of said company: *Provided*, That as soon as conveniently may be after the letters patent are obtained, any three or more of the said commissioners shall give at least two weeks' notice in two or more newspapers published in said county of Schuylkill, of the time and place within said borough of Minersville, for the said subscribers to meet and hold an election for managers as aforesaid, until the next annual election; any two or more of said commissioners shall hold the first election for managers, or in case of their absence,

Votes.

Proviso.

Proviso.

two of said subscribers chosen by those of said subscribers present at the time and place for opening said election, shall perform the said duty; it shall be the duty of those holding elections, in all cases to give notice to the persons elected, of their election, and to furnish to the board of managers a certified return of said election: *Provided*, That no misnomer or failure of election of managers or officers on the day appointed shall discontinue or dissolve the corporation; but the managers and officers last elected shall continue to perform their duties as they did before such failure, until an election can be held, at such time and place within the said borough of Minersville, and after such notice as the board of managers may deem proper, which notice the president shall publish in at least two newspapers published in the said county, immediately upon such failure.

Special meetings
of stockholders.

SECTION 5. That any time the managers may deem a special meeting necessary, they shall summon the stockholders to such meeting, by giving two or more weeks' notice of the same, in at least two newspapers published in said county of Schuylkill; and when the said stockholders are so assembled in such special meeting, or at any annual meeting, they shall have power to make, alter or repeal in the manner which shall be specified in said by-laws, and by at least a majority of their votes, all by-laws, orders or regulations, and to adopt such measures regarding the interests of said company, as to them shall be deemed expedient, and which shall be carried into effect by the president and board of managers.

Seal and certificates
of stock.

SECTION 6. That the president and managers shall procure a common seal and certificates of stock, which signed by the president and treasurer, and sealed with the corporate seal, shall be delivered to each stockholder as soon as the whole amount thereon shall have been paid; and in the meantime the said commissioners or the treasurer of the company, shall issue scrip certificates in the nature of receipts, for each instalment as it is paid in by the said shareholders; and said certificates of stock shall be transferable at the pleasure of the holder, in the presence of the president, treasurer, or other person appointed by the company for that purpose; which transfer shall at once be entered on the books of the corporation, according to such rules and regulations as the managers shall for that purpose ordain and establish, and not otherwise; and when so entered the holder thereof shall be a member of the said company.

Transfers of stock

Capital stock.

SECTION 7. That the capital stock of the Minersville water company shall consist of six thousand shares of twenty-five dollars each as aforesaid, to be subscribed for as aforesaid, and to be paid for after the first payment, in such manner as the board of directors of said company may determine; which said capital stock may at any time hereafter be increased not exceeding five thousand shares of twenty-five dollars each; and if any subscriber for stock, his or her assignee or transferee shall neglect or refuse to pay the first or any subsequent instalment called for and demanded by the managers as aforesaid, such subscriber, his or her assignee or transferee shall (at the discretion of the board of managers,) forfeit each and every share or shares so held by him or her, and new subscriptions may be opened and received for the share or shares so forfeited.

Objects and powers
of company.

SECTION 8. That the said Minersville water company shall have power, and are hereby authorized to bring and convey into

the borough of Minersville, a sufficient supply of fresh and pure water from Big run or Dyer's run, or other stream or streams in the said county of Schuylkill, by means of pipes, trunks or aqueducts, or in any other way, and to provide proper cisterns or reservoirs for the reception thereof; and for the purposes aforesaid, they are hereby authorized to take possession of, and divert from its present channel, any one or more of the aforesaid streams, and to enter into and upon any land or enclosure that may be necessary, to dig trenches and lay pipes or trunks through the same, and to build dams, tanks or reservoirs on or near said streams, and on any ground in or near said borough, doing as little damage thereby as possible to private property, and paying for whatever land they may occupy, or for whatever injury they may do, in the manner following:

SECTION 9. That the said president and managers shall have the right to enter into and upon any lands or enclosures with their engineers, artists, assistants and workmen, to lay out and locate the said dams, tanks, reservoirs and the route for the said pipes or trunks, and so much land around said dams or reservoirs and along said streams as they may deem necessary to preserve the purity of said water; and after the same shall have been laid out and located to the satisfaction of said board, it shall be their duty to give notice to the owners of said lands, (if they are known or can be found,) on which the same has been so laid out and located, of the location thereof, and of the desire of the company to occupy and use the land and route so marked and laid out, and if the said president and [and] managers and owners cannot agree on the amount of damages or compensation therefor, either of them may apply to one of the judges of the court of common pleas of said county of Schuylkill, or to said court when in session, who shall appoint a jury of three disinterested and judicious men to view said land and route, and make report to said court what damage (if any) the owners of said land shall or may sustain by the use and occupancy thereof by the said company for the construction of their works, or by the diversion of the waters of the aforesaid streams, whose report or award shall be subject to the right of appeal by either party, and when appealed from, shall be tried in said court as other cases in which damages are claimed by the plaintiffs, or if no appeal be entered within twenty days from the filing of said award, it shall have the effect of a judgment and be collected in like manner; and if upon the filing of said award the said president and managers shall pay the amount of the same, or give adequate security, to the satisfaction of one of the judges of the said court, for the payment thereof, or upon appeal of such sum as may be finally awarded against them with costs, they shall be allowed, and are hereby authorized and empowered, to enter on and in said land and enclosures with the necessary engineers, workmen, teams, tools and implements, and proceed forthwith to the construction and completion of all works necessary to carry into full effect the objects and purposes aforesaid, and the same to alter, repair or renew whenever and wherever they may deem necessary, without any let or hindrance from the owners of said lands or any others; and where the owners of any of the lands on which the company aforesaid has located any part of its works as aforesaid, are not known, or cannot be found, or if known, are not legally capable of entering into an agreement with said company, the presi-

Right to enter
lands, &c.

Damages. how
ascertained.

Appeal.

dent and managers shall proceed to have the damages ascertained in the manner hereinbefore provided for, where the said owners are known and capable of acting, but where they and the said president and managers cannot agree.

Jurors to be sworn SECTION 10. That the several jurors herein directed to be appointed, shall, before they enter on the duties of their appointment, be sworn or affirmed to discharge the duties of said appointment with impartiality and fidelity, and to the best of their judgments, and shall receive the same compensation for their services as jurors in other cases.

Trenches, pipes, &c. SECTION 11. That the said company shall at all times have the privilege and liberty to dig trenches and lay their pipes or trunks in, across and along all railroads, public roads, highways and streets, and across or along the streets, alleys and public grounds within the borough of Minersville, and to alter, repair and renew the same as often as they may find it necessary, closing up and amending any breaches they may make, as soon as practicable.

Prices of water. SECTION 12. That when the said company shall have introduced the water into said borough of Minersville, and shall have constructed the necessary buildings, reservoirs, fixtures, hydrants and pipes, wherever they shall deem the same necessary and proper, they shall then permit individuals and companies at all times to be supplied with water from the pipes laid by them, for domestic or manufacturing purposes, and for the supply of stationary and locomotive engines; and their president and managers shall, from time to time, fix and determine uniform regulations and rates or prices to be paid by those who may use the water, so that such rates or prices shall not cause oppression or injustice to any, but be so adjusted as to bear equally upon all whom they may concern; and if the said rates or prices be not paid according to the terms of the contract between those who may use the water and the company, the party so contracting and failing to pay may be prevented from using said water until all arrearages due the said company therefor, are paid; and all such arrearages may be collected by action, as debts of like amount are recoverable. Any person or persons

Penalties.

Proviso

Real estate.

who shall take away any of said water, for domestic or other purposes, without having previously contracted for the same with the president and managers of said company, or shall wilfully permit any of the said water to be taken away, shall forfeit and pay for every such offence a sum not less than fifteen dollars to the said company, to be recovered as debts of like amount are recoverable by law: *Provided*, That whenever the corporation of the borough of Minersville shall erect fire plugs to be used solely for the extinguishment of fires, the said president and managers shall permit the same to be connected with their pipes laid in said borough, and permit the inhabitants thereof to take and use water through said fire plugs, without charge, for the extinguishment of fires, but not otherwise. That nothing in this act shall prevent said company from receiving, purchasing or holding any real or personal property, stock, or other securities, in payment of debts due them, or to secure the same in any manner that the interests of the said corporation may require, or to purchase and hold such real estate as may be necessary to accommodate the said corporation in the transaction of the business thereof, and to sell, assign and convey the same in fee simple or otherwise.

SECTION 13. That the said president and managers shall, on Dividends.
on the first Monday in November in each and every year, declare a dividend of so much of the profits of said corporation as to them shall appear advisable, and the dividends so declared shall be paid to the respective proprietors, agreeably to such rules and regulations as the managers shall make for that purpose; and in case of any loss or losses, whereby the capital stock of the company shall be lessened, no subsequent dividend shall be made until a sum equal to such diminution shall have been added to the said capital.

SECTION 14. That three thousand shares of said stock, or whatever amount of the same shall be found to be required for the construction of said water works, shall be exempt from all taxation whatever, except that whenever the net annual income from the said water works shall exceed six per centum per annum on the cost of the same, the excess shall be taxable for state purposes only, at the same rates as are now imposed on the dividends of banks for said purposes. Stock exempt from taxation.

SECTION 15. That the corporation of the borough of Minersville, on behalf of said borough, and any incorporated company having occasion to use the water that may be supplied by the Minersville water company, are hereby authorized to subscribe to the capital stock of said company hereby to be incorporated, any number of shares that each of them respectively may deem proper, in which event the said borough and corporations shall have the right to vote at the elections of the said company, under the same provisions as individual subscribers or stockholders, and are hereby authorized to issue their bonds, payable at such times as they may deem proper, to such an amount as will produce enough money to pay for the shares of stock they may each subscribe for respectively: *Provided*, That no bond or certificate shall be issued of a less denomination than one hundred dollars. Subscriptions for stocks by certain corporations. Provide.

SECTION 16. That any person or persons who shall wilfully destroy, or injure in any manner, the pipes, aqueducts, dams, tanks, cisterns, reservoirs, hydrants, buildings or machinery of the said Minersville water company, erected in pursuance of this act, or shall wilfully corrupt or permit any thing to run or fall into any stream from which the said company shall take water to be introduced into the said borough of Minersville, which shall tend to corrupt the same or to render it unpalatable, unwholesome or unfit for domestic or manufacturing use, or for the supply of stationary or locomotive engines, or shall bathe in any dam or reservoir of said company, or shall throw, lead or entice any animal into the same, on being convicted thereof before any justice of the peace of the county of Schuylkill, on the oath of one or more creditable witnesses, shall pay a fine of not less than five nor more than fifty dollars, one-half for the use of the said company and the other half to the informer, and shall moreover remain liable to the said company for all damages. Penalty for injuring works.

SECTION 17. That if the said company shall not proceed to carry on said works within two years after the passage of this act, or shall not complete the same within three years thereafter, so far as to bring within the limits of the said borough of Minersville, a sufficient supply of good water for the inhabitants thereof, all and singular the rights, liberties and franchises Limitation of franchises.

hereby granted to the said company shall revert to this commonwealth.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirtieth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 606.

SUPPLEMENT

To the act incorporating the Washington Mutual Insurance Company of Philadelphia; relative to the Junction Canal Company; to the sale of real estate by O. P. Ballard, and to the sale of lands by the New York and Erie Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the time limited for the sale of certain lands by the New York and Erie railroad company, by the ninth section of the act incorporating the Washington mutual insurance company of Philadelphia; relative to the Junction canal company; to the sale of real estate by O. P. Ballard, and to the sale of lands by the New York and Erie railroad company, approved April twenty-eighth, one thousand eight hundred and fifty-two, and the supplement thereto, be extended to January the first, one thousand eight hundred and sixty.*

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 607.

AN ACT

To incorporate the Seamen's Saving Fund Society of Philadelphia,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Edmund A. Souder, James S. Pringle, Job R. Tyson, James H. Hart, David S. Brown, George H. Stuart, Morton M'Michael, George Boldin, Henry D. Moore, Benjamin B. Craycroft, Stillwell S. Bishop, Samuel J. Christian, John Burton, James P. Perot, Samuel E. Stokes, James Traquair, Robert Morris, John M'Candles, Edward H. Trotter, Daniel Haddock, Robert Allen, Harry Conrad, Charles M. Morris, Franklin Fell, Samuel C. Morton, James A. Freeman, Joseph Whetham, John Rice, Thomas Birch, Joseph B. Myers, Joseph M. Cowell, William S. Smith and Richard G. Stotesbury, of the city of Philadelphia, and their successors, be and they are hereby made a body politic and corporate, in deed and in law, by the name, style and title of the Seamen's Saving Fund society of Philadelphia; which corporation shall have the same privileges, and be subject to the same rules and restrictions, as is contained in the act incorporating the Western Saving Fund society of Philadelphia, approved the eighth day of February, one thousand eight hundred and forty-seven: *Provided, That* not more than five hundred dollars shall be received from any depositor in any one year.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

RESOLUTIONS

PASSED SESSION OF EIGHTEEN HUNDRED AND FIFTY-FIVE.

No. 1.

RESOLUTION

Relative to the purchase of Sutherland's Legislative Manual.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the clerks of each house be authorized to supply the members of their respective houses with a copy of Sutherland's Legislative Manual, for the present session.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eleventh day of January, Anno Domini one thousand eight hundred and fifty-five.

WM. BIGLER.

No. 2.

A RESOLUTION

In favor of an expedition to rescue Doctor Kane and the crew of the Advance.

WHEREAS, Doctor Elisha K. Kane and his brave crew, actuated by a generous impulse of humanity and an enthusiastic love of science, sailed on their perilous polar expedition in May, 1853, intending to push further north than any previous voyagers, with provisions to last only until the summer of 1855, have not been heard from since the season of their departure: *And whereas*, It becomes their countrymen to exert, for their rescue, the same humanity and enterprize that so gallantly actuated them, at the call of Lady Franklin, to seek and save her long missing husband, Sir John Franklin, and his companions in peril; therefore, be it

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, That the president and congress of the United States be most earnestly entreated to send, in the coming spring, one or more steam vessels of the navy, to rescue our brave and devoted countrymen from the perils of the polar ice, and restore them to their homes and their country's service.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-third day of January, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 3.

RESOLUTION

Providing for the payment of the amount due Special Messenger for serving writ of election to supply the vacancy in the Second Senatorial District

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer is hereby authorized and directed to pay to William B. Alburger, the sum of thirty two dollars and ten cents, in full, for serving writ of election in the county of Philadelphia, to supply the vacancy in the second senatorial district.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 4.

RESOLUTION

Relative to the Payment of Certain Expenses.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be and he is hereby authorized and required to pay out of any money in the treasury not otherwise appropriated, the sum of seventy-five dollars, for the payment of the expenses incurred by the joint committee of arrangement of the ceremonies connected with the inauguration of the honorable James Pollock, the said amount to be expended under the direction of said committee.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirty-first day of January, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 5.

RESOLUTIONS

Relative to the State Cabinet of Geological Specimens.

WHEREAS, The members of the Harrisburg literary institute have signified their desire to restore to the state the cabinet of geological specimens placed in their charge; be it therefore

Resolved, That the secretary of the commonwealth be and he is hereby directed, on official notice given by the members of the Harrisburg literary institute, that they desire to be relieved of the care of the geological specimens belonging to the state, to resume the custody of the geological specimens referred to, until further disposition of the same by the legislature.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The ninth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 6.

RESOLUTION

Relative to Geological Specimens.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the secretary of the commonwealth be and he is hereby directed to place in the care of the superintendent of the Pennsylvania State lunatic hospital, to be deposited in the museum of said hospital, the cabinet of geological specimens recently restored to his charge by the Harrisburg literary institute.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The fifteenth day of February, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 7.

RESOLUTION

Providing for the payment of part of the account of Hamilton and Clyde, for publishing a Daily Record of the Proceedings of the Legislature.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met,* That the state treasurer be and he is hereby authorized to pay to J. J. Clyde and A. B. Hamilton, the sum of fifteen hundred dollars, on account of their contract for publishing a record of the proceedings of the legislature.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The thirteenth day of March, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 8.

RESOLUTION

Relative to the pay of S. Bentley, for serving writs, &c., in the contested election case.

Resolved by the Senate and House of Representatives, That the state treasurer be authorized to pay S. Bentley seventy dollars and twenty cents, fees in serving writs in the matter of the contested election for representative from Northampton county, at the present session.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of Senate.

APPROVED—The fifth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 9.

RESOLUTION

Relative to the Regimental Flag of the Second Regiment, Pennsylvania Volunteers, serving in the War in Mexico.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the governor of the commonwealth be and he is hereby authorized and requested to present to the officers and members of the Scott Legion of Philadelphia, the flag of the second regiment, Pennsylvania volunteers serving in the late war with Mexico: Provided, That the said regimental flag shall be placed in possession of the major general commanding the first division of Pennsylvania militia, for the use of said Scott Legion: And further provided, That when the said Scott Legion shall become extinct from the death of its members or otherwise, the said flag shall be returned by the said major general to the archives of the commonwealth.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HESTER,
Speaker of the Senate.

APPROVED—The seventh day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 10.

RESOLUTION

For the payment of expenses incurred by investigating the charges against the Northern Liberties Bank.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be and he is hereby authorized to pay to Thomas C. Steel, chairman of the committee of investigation to examine the charges made against the Northern Liberties Bank, the sum of four hundred and forty-five dollars and eighty-five cents, the same being clerk hire, mileage, service of process and expenses incurred by said committee in performance of their duties.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 11.

RESOLUTION

Providing for the payment of part of the account of Clyde & Hamilton, for publishing a Daily Record of the proceedings of the Legislature.

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the state treasurer be and he is hereby authorized to pay to Clyde & Hamilton, the sum of one thousand dollars, on account of their contract for publishing a record of the proceedings of the legislature.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 12.

RESOLUTION

Relative to the right of the State of New York to divert the water from the natural bed and channel of the Chemung river.

WHEREAS, The state of New York, by the construction of a dam across the Chemung river, near Corning, in said state, supplies with water the Chemung canal, one of its public improvements, and thus diverts the water from the natural bed and channel of said river into the Seneca lake, thereby materially diminishing the capacity of said river to supply the North Branch canal; therefore,

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the governor be requested to procure from the attorney general his opinion of the right of the state of New York to divert water from the natural bed and channel of the Chemung river, to the prejudice of the public improvements of Pennsylvania, the said river belonging to both states, and communicate such opinion to the legislature.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-sixth day of April, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 13.

RESOLUTIONS

Relative to the New York and Erie Railroad Company.

RESOLUTION 1. *Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met,* That the New York and Erie railroad company be and are hereby required to communicate to the legislature of this commonwealth, a statement certified under oath by their president, setting forth what quantity of land said company now hold in Pennsylvania, its location, how much they have heretofore disposed of, its value, the value of what they now hold, and when the titles to the said lands were acquired.

RESOLUTION 2. That the governor of the commonwealth be authorized and requested to transmit a copy of the foregoing resolution to the president of the New York and Erie railroad company.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-five

JAS. POLLOCK.

No. 14.

RESOLUTION

Relative to the distribution of the Colonial Records and Pennsylvania Archives.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the secretary of the commonwealth of Pennsylvania be authorized and instructed to distribute to each member and chief clerk of both houses of the present legislature, who has not yet received a copy, a full set of the Colonial Records and Pennsylvania Archives.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The first day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 15.

RESOLUTION

For the payment of the expenses incurred in investigating whether any corrupt or improper influences had been used to affect the election of United States Senator.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That

LAWS OF PENNSYLVANIA,

the state treasurer be and he is hereby authorized and required to pay seven hundred and twenty-five dollars and thirty eight cents to the several persons interested therein, as designated in the bill of expenses made out and certified by Francis Jordan, chairman of the joint committee of investigation, and filed in the state treasurer's office.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The seventh day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

No. 16.

RESOLUTION

Relative to the claim of Burke & Gonder.

Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That the canal commissioners be and they are hereby authorized and required to examine the claims of Burke & Gonder, contractors on section seventeen on the Allegheny Portage railroad, and that they be required to settle and adjust the same, if in their opinion the said claims are just, and report the facts to the next legislature, together with the amount, if any be found due said firm.

HENRY K. STRONG,
Speaker of the House of Representatives.

WM. M. HIESTER,
Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-five.

JAS. POLLOCK.

APPENDIX—1854.

No. 608.

AN ACT

To incorporate the Lock Haven Gas and Water Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That H. Q. Hawley, Allison White, L. A. Mackey, D. K. Jackman, William Fearon, Junior, J. W. Quiggle, B. W. Morrison, James Jefferis, H. L. Dieffenbach, J. H. Irwin and David Carskaddon, and their associates, successors and assigns, or persons who shall become stockholders, be and they are hereby made and created a body politic and corporate, by the name and style of the Lock Haven gas and water company, and by the said name they shall and may have perpetual succession, and shall be in law, capable of suing and being sued, pleading and being impleaded, in all courts and judicatures whatsoever; and also of contracting and being contracted with, relative to the business and objects of the said corporation; and they may have a common seal, and may change and alter the same at pleasure; and they shall have power to lease or purchase in fee simple, such real estate as may be necessary for carrying on the business of said corporation, and in their corporate name to make and execute their obligations for their liabilities created for the purchase money, for the same and other necessary effects of said corporation as they may deem expedient: *Provided*, That such liabilities shall be created only for the purpose stated in this act.

Corporators.
Style.
Sue and be sued
Seal.
May lease or purchase real estate
Proviso.

SECTION 2. That the said company shall have power to provide, erect and maintain all works and machinery, or engines, necessary or proper for making, raising and introducing into the borough of Lock Haven a sufficient supply of gas and pure water; and for that purpose may provide, erect and maintain all proper buildings, cisterns and reservoirs, for the reception of the gas and water to be introduced; and for this purpose they are authorized and empowered by themselves, their agents, engineers and workmen, and with their tools, carts, wagons and horses, to enter upon such lands and enclosures, streets, lanes and alleys, roads, highways and bridges, as may be necessary to occupy or to obtain materials, for the construction of the said works, and to occupy, ditch and lay pipes through the same,

Privileges.

and the same from time to time, to repair; and if any injury be done to private property the said company shall make compensation therefor, in the manner hereafter provided.

Damages, how
ascertained.

SECTION 3. That if, in the location of the said works, an injury shall be done to private property, and the parties cannot agree upon the amount of compensation to be made to the owner, they may refer the same to men mutually chosen by them, or either party may apply to the court of common pleas of Clinton county, for the appointment of three judicious men, to view the premises and make report to the court, whose award shall be subject to the right of appeal by either party, as in cases under the compulsory arbitration law, and when appealed from to be tried as if an original action had been brought in said court; and if no appeal be entered within twenty days after the said report shall have been filed, it shall have the effect of a judgment and be collected in like manner.

Capital stock.

SECTION 4. That the capital stock of said company shall be twenty-five thousand dollars, to be divided into one thousand shares, of twenty-five dollars each, with the right to increase said capital stock from time to time, as the board of directors may deem necessary: *Provided*, That the whole capital stock shall not exceed seventy-five thousand dollars.

Proviso.

Election of officers

SECTION 5. That the stockholders shall annually on the first Monday in January of each year elect a president, six managers, secretary and treasurer for said company, and until the first Monday of January next the corporators above named shall be the managers thereof, and shall choose from their number a president, secretary and treasurer.

By-laws.

SECTION 6. That said company shall have authority to make and adopt such by-laws, rules and regulations for the government of the same as they may deem proper: *Provided*, That the same do not conflict with the laws of this commonwealth.

Borough of Lock
Haven may sub-
scribe stock.

SECTION 7. That it shall be lawful, and the borough of Lock Haven may in its corporate capacity subscribe for any number of shares of the stock of the said company; and to enable it to do so, the said borough is hereby authorized to borrow from time to time, any amount of money not exceeding the amount subscribed, and to pledge their property and franchises for the re-payment of the same; and if the said borough of Lock Haven shall subscribe and take one-third or more of the said capital stock which shall be subscribed for the completion of the said work or works, the town council of the said borough shall annually appoint two managers of the said company, and in that event the election of all other stockholders shall be confined to the president and four managers, and other stockholders shall alone have power to vote at elections and meetings.

Certificates of
stock.

SECTION 8. That the president and managers shall procure certificates of stock, which signed by the president and treasurer, and sealed with the corporate seal, shall be delivered to each stockholder, and which shall be transferable at his pleasure, in the presence of the president, treasurer or other person appointed by the company for that purpose, subject, however, to all payments due and to become due thereon; and when such assignment shall have been made and entered upon the books of the said company, the holder shall be a member of the said company, and in every election or meeting the stockholders of the said company shall be entitled to one vote for each share of stock by him or them held.

SECTION 9. That if any subscriber for stock, or his assignee, shall refuse or neglect to pay any instalment called for by the said company, at the place appointed, and the same shall remain unpaid for thirty days after the time appointed, he shall in addition to the instalment called in, pay at the rate of five per centum per month for delay; and if the same shall remain unpaid so long as that this penalty shall amount to the sum actually paid in by the said stockholder, it shall be in the power of the said company to forfeit the said stock, and the amount paid thereon to be disposed of by the said company, as will best promote their objects and interests. Penalty for neglecting to pay for stock.

SECTION 10. That the said company, if necessity require, shall have power at any time to borrow any sum of money not exceeding ten thousand dollars, to be applied to the prosecution or improvement of the said work or works, and to pledge their goods and chattels, property, franchises and effects, by mortgage or otherwise, for the security and re-payment of the same: *Provided*, That no bond or other evidence of indebtedness shall be given of a less denomination than one hundred dollars. Borrow money.
 Provide.

SECTION 11. That the said company shall have the right to fix and establish all necessary rules and regulations as to the use of the said gas and water furnished as aforesaid, and as to the rates and prices to be paid by the citizens using the same, and to collect the same as debts are now collected by the laws of this commonwealth, and to declare dividends of the net profits of said company, at such times as may be prescribed by the by-laws. Regulations as to use of gas and water.
 Prices.
 Dividends.

E. B. CHASE,
Speaker of the House of Representatives.

M. MCASLIN,
Speaker of the Senate.

APPROVED—The eleventh day of February, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 609.

AN ACT

Authorizing the Governor to incorporate the Mauch Chunk Gas Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That Asa Packer, E. A. Douglas, Conrad Miller, James S. Blakeslee, A. W. Leisenring, Charles O. Skeer, L. D. Knowles, Hiram Nolf, William Reed, John Lentz, Andrew A. Douglass, Jacob H. Salkeld and A. G. Brodhead, or any four of them, are hereby* Commissioners.

Duties

appointed commissioners to do and perform all matters and things hereafter mentioned ; that is to say, they shall, on or before the first day of June next, procure a book and enter therein as follows : We, the subscribers, promise to pay to the president and managers of the Mauch Chunk gas company the sum of twenty-five dollars, for every share of stock set opposite to our respective names, in such manner and proportion, and at such times, as shall be determined by the said company, in pursuance of an act of the general assembly, entitled "An Act authorizing the governor to incorporate the Mauch Chunk gas company." Witness our hands, the day of , in the year of our Lord one thousand eight hundred and fifty ; and shall thereupon give notice, in two newspapers published in the borough of Mauch Chunk, for the space of three weeks, when and where the said book shall be opened to receive subscriptions of stock, at which time and place one or more of said commissioners shall attend, and permit all persons of lawful age, either in their own names or in the names of others, when they shall be duly authorized, to subscribe for any number of shares in the said stock ; and the said book shall be kept open six days, or until seventy-five shares shall have been subscribed, and the said commissioners, or the officers of the company after the same shall have been organized, may at any time afterwards open the books for subscription of shares, until the whole number of six hundred shares, or the amount of fifteen thousand dollars, shall be subscribed.

Letters patent.

Stocks

Privileges

SECTION 2. That when seventy-five shares of the stock shall have been subscribed, the commissioners, or a majority of them, shall certify, under their hands and seals, the names of the subscribers and the number of shares subscribed by each to the governor of this commonwealth, and thereupon it shall be lawful for the governor, under his hand and the seal of the state, to create and erect the subscribers, and also those who shall afterward subscribe, into one body politic and corporate, in deed and in law, by the name, style and title of the Mauch Chunk gas company, by which name the said subscribers shall have perpetual succession, and all the privileges and franchises incident to a corporation, and shall have power and authority to manufacture and sell gas, to be made from bituminous coal or other materials, for the purpose of lighting the streets, buildings, manufactories and other places in the boroughs of Mauch Chunk and East Mauch Chunk and the vicinity ; to purchase, have, hold and enjoy, to them and their successors, lands, tenements, hereditaments, goods, chattels and all estate, real, personal or mixed, of what kind and quality soever, and the same from time to time to sell, mortgage, grant, alien or dispose of, and to make dividends of such portions of the profits as they may deem proper, and also to make and have a common seal, and the same to alter or renew at pleasure, and also to ordain, establish and put in execution such by-laws and regulations as shall appear necessary for the government of said corporation, not being contrary to the constitution and laws of this commonwealth.

Organization

SECTION 3. That any three or more of the said commissioners shall, as soon as conveniently may be after the letters patent are obtained, give at least ten days' notice, in one or more of the newspapers printed in the borough of Mauch Chunk, of the time and place of holding an election for officers of the company, at

which time the subscribers to the stock shall meet and choose by ballot seven managers, who shall be stockholders, to conduct the affairs of the company until the first Monday of May then next ensuing, and in all elections each stockholder shall be entitled to one vote for each share held by him, not exceeding three shares, and one vote for every two shares above three and not exceeding ten, and one vote for every four shares above ten and not exceeding twenty, and one vote for every five shares above twenty; and the managers so elected shall choose one of their number president of the company, and shall have power to appoint a treasurer and such other officers and agents as may be necessary; and the election for officers shall thereafter be held annually on the first Monday of May, at such place as may be appointed by the president and managers, of which at least ten days' notice shall be given, in one or more of the newspapers printed in the borough of Mauch Chunk; and when vacancies happen, the managers shall supply them from among the stockholders, until the next annual election.

Votes

Annual election.

SECTION 4. That the president and managers, or any five of them, shall have power to adopt such by-laws, rules and regulations as may be deemed expedient for the well governing of the affairs of the company, and the same to alter and repeal at pleasure; and shall also have power to call special meetings of the stockholders whenever any circumstances occur which may render it necessary to consult them: *Provided*, That such by-laws shall in nowise be inconsistent with the constitution and laws of this commonwealth.

By-laws.

Provis

SECTION 5. That the president and managers first chosen shall procure certificates or evidence of stock for all the shares of the stock of the said company, and shall deliver one such certificate, signed by the president and countersigned by the treasurer, and sealed with the common seal of the said corporation, to each person for such share or shares as by him are subscribed and held, which certificate or evidence of stock shall be transferable at pleasure, in person, or by attorney duly authorized, in the presence of the president or treasurer, in a book to be kept by said corporation for that purpose, subject to all payments due or to become due thereon; and the assignee holding any certificate transferred as aforesaid, shall be a member of said corporation, and possess and enjoy all the rights, privileges, benefits and emoluments to which he would have been entitled if he had been an original subscriber.

Certificates of stock.

Transfers of

SECTION 6. That the president and managers shall meet at such times and places as shall be directed by their by-laws, and when met, five members shall be a quorum, and in the absence of the president a chairman may be chosen of the number met, and all their transactions shall be entered in a book or books to be kept for such purpose; and they shall have full power and authority to contract with and appoint all such engineers, architects, chemists, superintendents and other artists and officers as they shall deem necessary, to construct and carry on the intended gas works, and to fix their salaries and wages, to contract for and purchase land necessary for said works, and to enter into and execute contracts and covenants in relation to the object of said corporation, and to enforce the same; to ascertain and fix the time, manner and proportions in which the said stockholders shall pay the money due on their respective shares; to draw orders on the treasurer for money, which orders shall be signed

Meetings of president and managers.

Powers

by the president, or in his absence, by a majority of the managers present, and attested by the secretary, and generally to do all such other acts, matters and things as, by this act and the by-laws and regulations of the company, they are or may be authorized to do.

Penalty for neglecting to pay stock.

SECTION 7. That if after twenty days' notice in two newspapers published in the borough of Mauch Chunk, of the time and place appointed for the payment of any proportion or instalment of the said capital stock, any stockholder shall neglect to pay such proportion or instalment at the and place appointed, every such stockholder or his assignee shall be liable to pay at the rate of two per centum per month for the delay of such payment; and if the said instalment and the additional penalty, or any or all of the instalments, together with the penalties accumulating by reason of the neglect or refusal of the stockholders to pay the same when demanded, shall be equal to or exceed the sum or sums before paid in part and on account of such share or shares of stock, the same shall become forfeited to said company, and may be sold for such price as can be obtained for the same: *Provided*, That nothing in this section shall be construed to prevent the said company from recovering, by legal process, any instalment or instalments, together with the penalty aforesaid, against the holder of such share or shares of stock, or his assignee, if the said company shall so elect.

Proviso

Dividends.

SECTION 8. That the managers shall declare dividends of so much of the net profits of the company as to them shall appear advisable, on the first Monday of June and December in every year, which shall be paid to the stockholders or their legal representatives on demand, at such time and place as may be named by the managers, of which notice shall be given in at least two newspapers in the borough of Mauch Chunk: *Provided*, That no dividend shall be declared or paid to the stockholders when such payment would render the corporation insolvent or make its solvency doubtful.

Proviso

May borrow money.

SECTION 9. That the managers of this company are hereby authorized to borrow, if necessary, any sum or sums of money, not exceeding ten thousand dollars, for the purpose of aiding them in the construction of their works, and to secure the payment of the same, may execute a mortgage upon their works and real estate, in favor of the person or persons who may have loaned the same; and the said managers shall provide for the payment of the interest upon any loan made under this section, out of the receipts of said company, before any dividends shall be paid to the stockholders.

Annual statement

SECTION 10. That in the month of December, annually, the managers shall submit to the stockholders, a statement under the oaths or affirmation of the president and treasurer of the amount of capital stock paid in, the amount of all existing debts known to said officers against the company, and a full and satisfactory exhibit of the receipts and disbursements of said company, for the year previous, up to the time of making such statement.

Powers of company.

SECTION 11. That the company shall have power and authority, and is hereby empowered and authorized to erect gas posts or lamp burners and reflectors, to dig such trenches in, along and across the public streets, lanes, alleys and sidewalks in the bor-

ough of Mauch Chunk and East Mauch Chunk, and vicinity, for the purpose of laying their pipes for the distribution of gas, as the company may deem necessary, and may enter into such lands and enclosures as may be necessary, and dig trenches through and across them, for the same purpose, doing little damage as possible to private property, and paying for whatever injury may be done by them, and if the parties cannot agree on the amount of damages, the same shall be assessed by three dis- Damages against. interested men, on oath, to be appointed by the court of common pleas of Carbon county, on the application of either party; and the same company shall have the like privileges as to the relaying or taking up or repairing the said pipes as often as the same may be necessary: *Provided*, That the said company shall Proviso. fill up said trenches and restore the said streets, lanes, alleys and sidewalks, and the private property as aforesaid, to as good a condition as they were respectively in before the trenches were dug, at the proper costs and expense of the said company.

SECTION 12. That if any person or persons shall open a communication into the street, gas main or other gas pipe of the Penalty for fraudulently using gas, &c. said company, without authority from the proper officer of said company, or shall let on the gas after it has been stopped by order of the said officer, for repairs or any other cause or purpose whatever, or shall put up any pipes or burners in addition to the pipes or burners originally put up and inspected, and introduce gas into them without authority as aforesaid, he, she or they shall be subject to a penalty of not less than ten or more than fifty dollars for each and every such offence, to be recovered as debts of a like amount are recoverable in law, one-half to be paid to the informer and the other half to the said company.

SECTION 13. That if any person shall wilfully do or cause to Penalty for injuries to works. be done, any act or acts whatsoever, whereby any building, construction or works of said company, or any gas pipe, gas post or lamp burner or reflector, or any matter or thing appertaining to the same, shall be stopped, obstructed, injured or destroyed, the person or persons so offending shall be guilty of a misdemeanor, and being thereof indicted and convicted in the court of quarter sessions of Carbon county, shall be punished by fine, not exceeding one hundred dollars, or imprisonment, not exceeding one year, or both, at the discretion of the court: *Provided*, That such criminal prosecution shall not, in any wise, impair the right of action for damages by civil suit, hereby authorized to be brought for any such injury as aforesaid, by and in the name of the company, in any court of this state having cognizance of the same.

SECTION 14. That the managers shall annually elect a secretary and treasurer, the latter of whom shall be a stockholder of Secretary and Treasurer. the company, and said treasurer shall give bond to said corporation, with such sufficient sureties as shall be approved by the managers, for the faithful application and account of all moneys which may come into his hands by virtue of his office, and for the delivery to his successor in office, of all moneys, books, papers and other things appertaining to said office: *Provided*, That the managers and all other officers of said company shall continue to hold their offices until their successors are duly elected and appointed.

SECTION 15. That if the said company shall not carry into Limitation operation, so much of the object of this charter as requires them to manufacture and provide gas in the borough of Mauch Chunk

within three years from the passage of this act, then the said charter shall become null and void.

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 610.

AN ACT

To perpetuate the rights, immunities and obligations of the Springhouse, Northampton town and Bethlehem Turnpike Company, and for the purpose of changing its name, collection of tolls, &c cetera.

Repeal.

Confirmation.

Name changed.

Toll regulated in certain cases.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That so much of the act of assembly, approved January the sixteenth, Anno Domini one thousand eight hundred and thirteen, incorporating the Springhouse, Northampton town and Bethlehem turnpike road company, and the several supplements thereto, which requires the company to complete the turnpike road to Northampton town and Bethlehem, be repealed, and that all other rights, privileges and liabilities of the company, under the original act, and the several supplements relating thereto, to be confirmed and perpetuated in the ten miles of turnpike road finished and in use, from the Springhouse, in Montgomery county, to Hilltown, in the county of Bucks, and that as fully and as amply as though the entire road had been completed to the points of termination before mentioned.

SECTION 2. That the name, style and title of the Springhouse, Northampton town and Bethlehem turnpike company, be and the same is hereby changed to, and the said corporation shall hereafter be known by the name of the Springhouse and Hilltown turnpike road company, with all the rights, privileges and immunities, and subject to all the provisions and penalties provided for and enjoined by the act incorporating said company, and the several supplements thereto.

SECTION 3. That so much of the several acts of assembly incorporating turnpike road companies, as imposes a penalty on toll collectors for demanding and receiving toll, for any greater distance than the person may have traveled, shall not be deemed nor held to prevent toll collectors from demanding and receiving tolls at their respective gates, for the entire section of road for which each may be instructed to receive tolls by their respective boards of managers, and that each traveler shall be liable

for such amount unless he or she satisfy the collector that a less distance is intended to be traveled.

E. B. CHASE,
Speaker of the House of Representatives.

M. MCASLIN,
Speaker of the Senate.

APPROVED—The third day of March, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 611.

A N A C T

To incorporate the Auburn and Port Clinton Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Jeddiah Irish, Ellwood Morris, George Shenk, John Horn, Commissioners Junior, John Hendricks or any three of them, be and they are hereby appointed commissioners to open books, for the purpose of receiving subscriptions to the capital stock of the company hereinafter directed to be incorporated.

SECTION 2. That the capital stock of the said company shall Capital be four hundred thousand dollars, which said capital may at any time be increased, if required, to any sum not exceeding six hundred thousand dollars.

SECTION 3. That the Auburn and Port Clinton railroad company hereby directed to be incorporated, shall be and hereby is Subject to act vested with all the rights, titles and privileges, and be subject to all the restrictions and regulations provided for in the act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, which are not inconsistent with this act.

SECTION 4. That the said Auburn and Port Clinton railroad company hereby directed to be incorporated, shall be and hereby Route is invested with all the rights and powers necessary for the construction of a railroad and repairs of the same, from the Dauphin and Susquehanna coal company's railroad, at or near Auburn; thence eastwardly by the nearest and best route, and to connect with the Allentown railroad in Port Clinton, Schuylkill county.

E. B. CHASE,
Speaker of the House of Representatives.

M. MCASLIN,
Speaker of the Senate.

APPROVED—The thirteenth day of March, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 612.

A N A C T

To legitimate Alvin Gernant M'Namee and to change his name.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Alvin Gernant M'Namee, son of James M'Namee, and an adopted son of Morgan Daniel Medlar, of the county of Berks, shall be called and known by the name of Alvin Gernant Medlar, and shall enjoy all the rights and privileges of a child of said Morgan Daniel Medlar, born in lawful wedlock.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The sixteenth day of March, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 613.

A N A C T

To change the corporate name of the President, Managers and Company of the York Furnace Bridge

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* from and after the passage of this act, the president, managers and company of the York Furnace bridge shall be named instead thereof the York Furnace bridge company, with all the powers, privileges and authorities they had under their former name, and be subject to all the restrictions and liabilities to which they were subject under the same.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The twenty-third day of March, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 614.

A N A C T

To incorporate the Dime Savings.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That R. Rundel Smith, Robert Ewing, Wm. M. Swain, W. J. P. White, Robert J. Mercer, Edwin Greble, — M'Clure, George H. Hart, Daniel Haddock, Jr., Samuel Robb, Wm. Bucknell, Jr., John Miller, Samuel C. Morton, Alexander Whillden, Joseph Edwards, John C. Farr, James Robb, (Pine st.,) A. F. Cheseborough, Thomas Allibone, St. George Tucker Campbell, Anthony Miskey, Morris L. Hallowell, J. L. Sutton, J. P. Morris, Stacy Barcroft, Charles Keen, Thos. H. Powers, D. B. Haman, Samuel Allen, J. Miller, P. M., Caleb Cope, Charles Miller, David Jayne, M. D., Abraham Hart, George Howell, Capt. John McCaules, Thomas H. Newhall, Samuel H. Perkins, Samuel Kirkpatrick, Peter Logan, and their successors, shall be and they are hereby created and made a corporation and body politic, by the name and style of the Dime Savings of the city of Philadelphia, and by that name shall have succession, and by law be capable to hold and dispose of property, to sue and be sued, plead and be impleaded, answer and defend, in courts of law or equity, or in any other place whatsoever, and to receive and make all deeds, transfers, contracts, covenants, conveyances and grants whatsoever, and to make, have and to use a common seal, and the same to alter and renew at pleasure, and generally to do every act and thing necessary to carry into effect the provisions of this enactment and promote the object and design of this act of corporation, and to be located in the city of Philadelphia.

Corporators.

Style.

Privileges.

SECTION 2. That the general business and object of the corporation hereby created, shall be to receive on deposit, from time to time, such sum or sums as may be offered, in amount or amounts of not less than five cents, by mariners, tradesmen, clerks, mechanics, laborers, miners, servants and others, and investing the same in the securities or stocks of this state or the United States, or in stocks or bonds of any city authorized to be issued by an act of the legislature of this state, or loaning the same on the securities of the said stock or stocks, or bonds, or on improved real estate, worth at least double the amount to be secured thereby, or in such other manner as authorized by this act, for the use, interest and advantage of the said depositors or their legal representatives. The corporation shall receive as deposits, from persons as hereinbefore mentioned, all sums of current money that may be offered for the purpose of being invested as aforesaid, which investment or investments shall be made as soon as practicable; and the amount of such deposit or deposits shall, when the sum does not exceed fifty dollars, be repaid to such depositor or depositors on demand, with such interest as may, in accordance with the rules of the

Objects of corporation.

corporation, have accumulated; and in cases where the amount to the credit of the depositor exceeds the sum of fifty dollars, the whole sum, with interest as aforesaid, shall be paid within ten juridical days from the date of demand, on a written notice for such payment.

Real estate.

SECTION 3. That the real estate which it shall be lawful for this corporation to purchase, hold and convey, shall be such as may be requisite for its immediate accommodation, and the convenient transaction of its business, such as shall have been mortgaged to it in good faith for moneys loaned in pursuance of the provisions of this act, such as shall have been purchased at sales upon judgments or decrees obtained or rendered for money so loaned, and with the exception of the premises occupied for the accommodation of the business of the company, all such real estate as may have come into their possession as aforesaid, shall be sold by the said corporation within the period of five years after the same has been vested in it by purchase or otherwise.

Trustees and officers.

SECTION 4. That the business of the corporation shall be managed and directed by a board of not less than thirteen trustees, who shall elect from their number a president and a vice president, and also elect such other officers as they may deem necessary, and in accordance with the by-laws; eight of the trustees, of whom the president or vice president shall be one, shall form a quorum for the transaction of business, and the affirmative vote of at least seven members of the board shall be requisite in making any order for, or authorizing the investment of any moneys, or the sale or transfer of any stock or securities belonging to the corporation, or the appointment of any officer receiving any compensation therefrom.

Officers not to receive pay nor borrow funds.

SECTION 5. That the trustees of this corporation shall not, as such, directly or indirectly receive any payment or emoluments for their services, neither shall the president, vice president, or any trustee, officer, or servant of the corporation, directly or indirectly borrow the funds thereof, or in any manner use the same or any part thereof, other than as authorized by this act, except for the payment of the necessary expenses under direction of the board of trustees.

First trustees.

Vacancies.

Meetings.

SECTION 6. That the persons named in the first section of this act, or thirteen of the number as may be elected by the persons named in the first section of this bill, shall be the first trustees of the said corporation, and all vacancies by death, resignation or otherwise, in the office or number of trustees, shall be filled by the board, by ballot, without unnecessary delay, and at least eight affirmative votes shall be necessary for the election of any trustee; the said trustees shall hold a regular meeting at least once in each month, to receive the reports of their officers as to the business and affairs of the corporation, and transact such business as may be necessary; and any trustee omitting to attend the regular meetings of the board for six months in succession, may thereupon, at any meeting of said board thereafter, be considered as having vacated his office, and a successor may be elected to fill his place; the judges of the court of common pleas may at any time, for a violation of the provisions of this act or other due cause, remove any trustee on or after a proper notice to such trustee, of the cause of complaint, and affording him an opportunity to be heard in his defence.

SECTION 7. That all certificates or other evidences of deposit made by the proper officer of such corporation, shall be as binding upon the institution as if they were made under the common seal of the corporation. It shall be the duty of the trustees to regulate the rate of interest to be allowed to the depositors, so that they shall receive, as nearly as may be, a ratable proportion of the profits of said corporation, after deducting all necessary expenses; the rate of interest agreed upon shall be published, and at no time less than four per centum. If it shall at any time appear that there is an excess of fifty thousand dollars accumulated, and in the possession of said corporation, after the payment of the usual interest to the depositors, that sum shall be invested for the security of the depositors in said corporation; and thereafter at each annual examination by the officers of the corporation, any surplus over and above said sum shall, in addition to the usual interest, be divided ratably amongst the depositors, in such manner as the board of managers shall direct; in all cases of loans upon real estate a sufficient bond or other satisfactory personal security shall be required of the borrower, and all expenses of searches, examinations and certificates of title, and of drawing, perfecting and recording papers, shall be paid by such borrower. It shall be the duty of the trustees to invest, as soon as practicable, in public stocks, bonds and mortgages, or such other securities as provided for in this act, all sums received by them beyond an available fund, that may be deemed necessary to meet the current payments of the corporation, either as interest, deposits withdrawn or otherwise, as the trustees may direct.

Certificates of deposit

Rate of interest

Surplus fund

SECTION 8. That the board of trustees of the said corporation shall have power from time to time, to make, constitute, ordain and establish such by-laws, rules and regulations as they shall judge proper for the election of their officers, for prescribing their respective functions, and the mode of discharging the same, for the regulation of the times of meetings of officers and trustees, and generally for transacting, managing and directing the affairs of the corporation: *Provided*, That such by-laws, rules and regulations are not inconsistent with this act, to the constitution or laws of this state or of the United States: *Provided further*, That when such by-laws and regulations are settled and adopted by the board of trustees, they shall not be altered or changed unless by an affirmative vote of a majority of all the trustees.

By-laws

Proviso.

Proviso.

SECTION 9. That the subordinate officers and agents of the said corporation shall respectively give security for their fidelity and good conduct, as the board of trustees may from time to time require, and the said board shall fix the salaries of such officers and agents.

Official bond

SECTION 10. That the books of the said corporation shall at all times, during their business hours, be open for the inspection and examination of the auditor general of this state, and such other person or persons as the legislature or auditor general shall designate or appoint as their agent for that purpose.

Examination of books.

SECTION 11. That the board of trustees shall in the month of January in each year, from the time of organization, report to the legislature and to the councils of the city of Philadelphia, the aggregate amount of deposits on hand, with the interest that has accrued thereon; and also the unclaimed deposits on which at least the sum of ten dollars shall then be due, and

Report

Misnomer.

which shall have been deposited by persons who have not within the two years next preceding said report, made a deposit or received a payment of interest or otherwise, from the corporation; the misnomer of the corporation in any instrument shall not vitiate or impair the same, if it be sufficiently described to ascertain the intention of the parties.

Payment of deposits regulated.

SECTION 12. That whenever a deposit shall be made by any minor, the trustees of the corporation may at their discretion, pay to such depositor such sum or sums as may be due to him or her, although no guardian of such minor shall have been appointed, or the guardian of such minor shall not have authorized the drawing of the same; and the check, receipt or acquittance of such minor shall be as valid as if the same was executed by a guardian of such minor or the said minor was of full age; if such deposit was made personally by said minor, and whenever any deposit shall have been made by married women may re-pay the same on their own receipts.

Removal of trustees.

Books and papers subject to examination.

SECTION 13. That the supreme court may at any time, on the application of any one of the trustees or depositors in said institution, and on reasonable cause shown therefor to the satisfaction of said court, appoint one or more persons to examine into the investments thereof, and its affairs and business generally; the books, papers and business of the corporation shall be open and subject to the examination of such person or persons, and the trustees, officers and clerks thereof, or any other person may be examined on oath by such person or persons, and the said court may confer such further powers on the person or persons so appointed, as they may consider necessary, for the more thorough and perfect examination of the affairs and business of said corporation; the result of their investigation shall be reported to said court, who if satisfied thereby that any officer, trustee or servant of said corporation, has been guilty of any fraud or misconduct, may remove such person or persons and make further order and take such further measures for securing the funds and property of said corporation as the said court shall deem expedient.

Deposits.

SECTION 14. That any sum not less than five cents shall be received as a deposit, but no interest shall be allowed to any depositor on any deposit or deposits, until the sum by him or her deposited shall amount to three dollars, the interest to be estimated by calendar months only, and at a rate of not less than four per centum per annum, but no interest will be allowed for the fractional part of a month; every additional sum amounting to two or more dollars that may be deposited thereafter to the credit of any one of said depositors, shall bear interest in the same manner.

Amount of deposits.

Payment of in certain cases.

SECTION 15. That all deposits as well as all payments, shall be immediately entered in the books of the office, consisting of at least one cash book and a ledger; and every person depositing money shall be furnished with a duplicate of his or her account, in which every deposit shall be regularly entered as made; a book shall also be kept in the office in which each depositor may designate a person or persons to whom, in the event of his or her death or other cause, the money so deposited shall be paid, if not otherwise disposed of by will or other legal assignment.

Reservation

SECTION 16. That if at any time said corporation shall misuse or abuse any of the privileges granted by this act, or if it shall

appear that said privileges conflict with the general interests of the community, the legislature shall have the power to revoke or annul the same; nothing herein contained shall be construed to authorize this corporation to issue bills, notes or orders of a description or semblance of a bank note, or in a form adapted to or intended to be circulated as bank notes.

E. B. CHASE,
Speaker of the House of Representatives.

M. McCASLIN,
Speaker of the Senate.

APPROVED—The twenty-seventh day of March, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 615.

A SUPPLEMENT

To the act, entitled "An Act to incorporate the Erie Fire and Marine Insurance Company of Erie county"

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That James D. Dunlap, James Lytle, William Dunn, J. H. Warren, James Sill and Matthew R. Barr be and are hereby appointed commissioners, in addition to the persons named in the first section of the act to which this is a supplement, who together with all other persons who may be hereafter associated with them, in the manner hereinafter prescribed, and their successors, shall be and are hereby constituted and declared to be a body politic and corporate, by the name, style and title of the Keystone insurance company, and by the same name shall have perpetual succession, and be able to sue and be sued, plead and be impleaded in all courts of record and elsewhere, and to purchase, receive, have, hold and enjoy to them and their successors lands, tenements, rents, annuities, franchises, hereditaments, goods, chattels and choses in action, and the same to sell and dispose of, from time to time; and also to make and have a common seal, and the same to alter and renew at pleasure; and also to make and enforce such by laws, ordinances and regulations (the same not being contrary to the constitution or laws of this state or of the United States) as may appear necessary or convenient for the government or management of its affairs, and generally to do and transact all such matters and things as shall to them lawfully appertain to do and transact, for the well being of said corporation, or for the purpose of carrying into effect the provisions of this act, and the act to which this is a supplement.

Commissioners.

Name changed.

Privileges.

Subscription of
stock

SECTION 2. That the above named persons are hereby appointed commissioners for receiving subscriptions for a capital stock, to consist of six thousand shares, of fifty dollars each, the payment for which shall be called in at such times, and in such instalments as the trustees of said company shall deem necessary, to enable them to liquidate all claims for losses and expenses, and subject to such penalties for non-payment thereof, as the trustees may require or ordain; the commissioners may adjourn from time to time, and transfer the books from place to place, until five hundred shares of the said capital stock shall have been subscribed for and invested in the stocks or securities hereinafter directed, it shall then be lawful for the subscribers or stockholders to hold an election of trustees, at a time and place to be designated by the commissioners; the said trustees shall elect a president, vice president, secretary, treasurer and attorney, which shall constitute an organization; the president, secretary and trustees shall have authority to re-open the books for subscription to the said capital stock, at such times and places as they may deem expedient, and may, at their discretion, continue the same open until the whole number of shares shall have been subscribed. It is hereby provided that all acts which the said commissioners are authorized to do, shall be as effectual and valid if performed by a majority of them, or by a committee appointed in writing, under the hands and seals of a majority of said commissioners, as if performed by them all.

Trustees and
other officers

SECTION 3. That the affairs of the said company shall be managed by a board of trustees, consisting of not less than nine and not more than twenty five, and such officers, agents and committees as they may appoint; all vacancies happening in any of the said offices may be filled by the board, for the remainder of the term for which the last incumbent may have been elected; the board of trustees shall also have power to declare, by by-laws, what number of trustees, less than the whole number, shall constitute a quorum for the transaction of business.

Executive com-
mittee

SECTION 4. That the president, secretary and attorney shall constitute an executive committee, and they shall have power to fix the time and place of holding the elections, and in the absence of the board of trustees, to transact all business of the company, not inconsistent with this act of incorporation.

Insurance

SECTION 5. That the corporation hereby created shall have authority to make contracts of insurance on every species of property or otherwise, on which there is any liability to loss or risk, of whatsoever sort or nature, and also to cause themselves to be insured against any loss or damage, or risk, in the course of their business, and for these purposes to make, execute and perfect such contracts, bargains, agreements, policies and instruments as shall or may be necessary or expedient, and as the nature of the case may require, upon such terms, conditions and regulations as may be deemed proper on the part of said corporation; every such contract, bargain, agreement, policy and other instrument to be made by said company, or any officer or agent thereof, shall be in writing or print, and be signed by the president and secretary, or other officers appointed by the trustees for that purpose; the said company shall also have power to act as agent for and in behalf of other insurance companies in this state or elsewhere, and by their officers or agents, for and in their behalf to make contracts of insurance, re-insurance and other contracts relative thereto.

Agencies.

SECTION 6. Should the company at any time fail to meet its engagements, each person holding stock at the time of such failure, shall be individually liable for the debts of the company, to the amount of the balance unpaid on the stock of such stockholder: *Provided*, The trustees of the corporation shall be allowed a period not to exceed twelve months, to adjust the affairs of said corporation. Individual liability. Proviso.

SECTION 7. That the trustees shall cause certificates to be written or printed, one of which signed by the president, and countersigned by the secretary, shall be delivered to each stockholder for the number of shares held by him or her; which capital shall be transferable on the books of the company, in the presence of the secretary, by the holder in person, or by attorney duly authorized, subject, however, to the payment of all instalments due and to become due thereon; such transferee shall thenceforth be a member of the corporation, and entitled to vote at the elections: *Provided*, The transfer shall have been entered on the books of the company at least thirty days previous to such election. Certificates of stock. Proviso.

SECTION 8. That the executive committee shall have authority to fix the rates of insurance from time to time, and they may at their option receive a definite sum of money, or promissory notes therefor, from the insured, bearing six per centum interest, which shall be paid in such manner as the executive committee shall require; which said notes may be negotiated by said company, their officers or agents, at pleasure, and whenever any assessment shall have been declared, and notice thereof shall have been declared, and notice thereof shall have been placed in the post office, and directed to the last residence of the person assessed as notified to the company, or shall have been otherwise demanded by the company or their agent, and the insured shall for the space of thirty days refuse or neglect to pay the same, the company may at their option annul the policy of the person so assessed, but retain and collect the premium note of such person. Rates of insurance, &c.

SECTION 9. That the said company may from time to time receive notes or other securities, real or personal, under such regulations or agreement as shall be authorized by the trustees or executive committee; which said notes or other securities may be negotiated, transferred or conveyed by the said company for the purposes of paying claims for losses or expenses accruing in the course of its business; and on such portion of said notes or securities as may exceed the amount of premiums paid or agreed to be paid by the parties from whom the same may have been received, the said company may allow and pay such compensation as may be agreed upon by the trustees. Notes and other securities.

SECTION 10. That suits at law may be prosecuted and maintained by any person against the said company, for losses or damages insured against by them, if payment be withheld more than six months after the company is duly notified of such losses or damage. Suits.

SECTION 11. That all persons that shall hereafter insure in said company, shall become members during the period they are insured by said company, and no longer, and shall be entitled to one vote for trustees of said corporation; each stockholder shall be entitled to one vote on each share held by them. Membership.

SECTION 12. That the trustees of said corporation shall on the first Monday of January in each year declare and divide so Dividends.

much of the profits of the company as to them shall appear advisable; but the money received as premiums on risks which remain undetermined at the time of declaring such dividend, shall not then be considered as part of the profits of said company.

Investments by
company.

SECTION 13. That it shall be lawful for the company to invest its capital, premiums and profits on real or personal security in bonds, notes, mortgages, ground rents, judgments, stocks and loans of the United States and Pennsylvania, and to sell, transfer and change the same, and re-invest the funds of said corporation when the trustees shall deem expedient: *Provided*, That said corporation shall not exercise any banking privileges.

Repeal.

SECTION 14. That so much of the original act of incorporation of the Erie fire and marine insurance company as is hereby altered, or is inconsistent herewith, be and the same is hereby repealed.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 616.

AN ACT

To incorporate the Farmers' Mutual Fire Insurance Company of Paradise.

Corporators.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Michael Fishel, Samuel Roth, senior, George Meyers, George Hoke, of Michael, Nathaniel Spangler, Joseph Hoke, Henry Shireman, George Sprengle, (miller,) Henry Raber, John Roth, esquire, Henry Hoke and Joseph W. Craft, and all other persons who may hereafter associate with them in the manner hereinafter prescribed, shall be and they are hereby constituted and declared to be a body politic and corporate, by the name, style and title of the Farmers' mutual fire insurance company of Paradise, and by the same name to be able to sue and be sued, to plead and be impleaded in all courts of record or elsewhere, and also make and have one common seal, the same to alter and renew at pleasure; and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of said corporation: *Provided*, They be not inconsistent with this charter or the laws

Style.

Privileges.

Proviso.

of the United States, or of this commonwealth, and generally to do and transact all such matters and things as shall to them lawfully appertain to do and transact for the well-being of said corporation, and the due management of the affairs thereof.

SECTION 2. That the object and business of said corporation, Objects. shall and is hereby prescribed to be the insurance of their respective dwellings, barns and other buildings, except such on which steam power may be employed for any purpose whatever, and all personal property of every kind whatever, against loss or damage by fire, within the townships of Paradise, Jackson, West Manchester, Dover, Heidelberg, Manheim, West Manheim, Codorus and North Codorus, in the county of York, Pennsylvania, for such term or terms, and for such premiums or considerations and such modifications and restrictions as may be agreed upon between the said corporation and the persons agreeing with them for said insurance.

SECTION 3. That all persons who shall hereafter insure with said company or corporation, and also their heirs, executors or administrators and assigns continuing to be insured in said company, as is hereinafter provided, shall thereby become members thereof during the period they shall remain insured by said corporation, and no longer. Membership.

SECTION 4. That no insurance shall be made by said company for a longer period than seven years, nor shall any property be insured by this company in any other place than in the townships mentioned in the second section of this act. Period of insurance limited.

SECTION 5. That the affairs of said corporation shall be managed by a board of directors, consisting of twelve members, to be elected as hereinafter provided; all vacancies happening in said board shall be filled by the remaining directors, for the remainder of the year for which they were elected; and a majority of the whole shall constitute a quorum for the transaction of business; that the twelve persons named in the first section of this act, shall be the first directors, who shall continue in office until the first day of June, Anno Domini one thousand eight hundred and fifty-four; that on the first day of June, Anno Domini one thousand eight hundred and fifty-four, and on every first day of June, in each and every successive year thereafter, an election shall be held by ballot and by plurality of the members, at the house of Joseph W. Kraft, Esq., now in Jackson township, York county, or at any other place that the board of directors may designate, for the election of twelve directors, who shall serve until the next annual election or until a new board shall be elected; that such notice of the time and place of holding these elections, shall be given as may be directed by the by-laws; such election shall be held under the inspection of three members, not being directors, to be appointed by the directors previous to every election; and each member shall be entitled to one vote, and must vote personally and not by proxy. Officers.
Vacancies.
Quorum.
General powers.

SECTION 6. That if it shall at any time happen that an election of president, secretary or director shall not take place on any day when, pursuant to this act and by-laws of said corporation it ought to have been made, the corporation shall not for that cause be deemed to be dissolved; but it shall be lawful on any day to hold and make an election of directors, in such manner as shall be directed by the by-laws of said corporation. Elections regulated.

SECTION 7. That the board of directors shall appoint one of their number for president, one for secretary, and one for trea-

Official bonds.	surer, of whom they shall require such securities as may be required by the by-laws of said corporation, and shall have authority to appoint officers and employ clerks, appoint agents or attorneys if found necessary, and then only for the transaction of the business of said institution, and shall from time to time
Clerks, &c.	fix and regulate the rates of insurance and the amount to be insured, and the amount of the premium notes of the persons applying for insurances.
Insurances.	
Policies regulated	SECTION 8. That when property insured by this company shall become alienated, by sale or otherwise, the policy shall therefore be void and be surrendered to the directors of said company, to be cancelled; and upon such surrender the insured shall be entitled to receive his or her deposit note: <i>Provided</i> ,
Proviso.	That the insured shall first pay his or her proportion of the balance of losses and expenses (if any) which have accrued prior to such surrender; but the grantee or alienee having the policy assigned to him or her, may have the same ratified and confirmed to him or her, for his or her own use or benefit, upon application to the directors and with their consent, within thirty days next after such alienation, on giving a new deposit or premium note, in such sum as shall be agreed upon by the directors, shall be entitled to all the rights and privileges, and be subject to all the liabilities to which the original party was liable and subjected to under this act.
Premium notes.	SECTION 9. Every person who shall become a member of this corporation, by effecting insurance therein, shall, before he or she receives his or her policy of insurance, sign or deposit a premium note, to be annexed to his or her application for insurance, the amount of said note to be fixed by the directors, and the said note shall be payable in part or the whole, at any time when the directors shall deem the same requisite for the payment of loss or damage by fire, and such incidental charges as shall be necessary for transacting the business of said corporation, and at the expiration of the term of insurance; the said note, or such part of the same as shall remain unpaid, after deducting all losses and expenses accruing during such term, shall be relinquished and given up to the maker thereof.
Losses by fire.	SECTION 10. That if any loss or damage by fire shall happen to any of the members, the directors shall settle and determine the amount of damage sustained, they shall also settle and determine, in proportion to the deposit notes, the amount to be paid by any of its members, as their respective shares of such loss or damage, and the members shall pay the same to the treasurer of the company, or such person as may be authorized by him, within thirty days after they shall have served notice of the same; the notice to be given shall be directed by the by-laws; on neglect or refusal to pay the same, assessed upon him or her as a portion of any loss, as aforesaid, in such case his or her policy shall be declared void, and the said company may sue for and recover said portion assessed, with costs of suit.
Suits.	SECTION 11. That suits at law may be maintained by said corporation against any of its members, for the collection of said deposit note, or any portion thereof, or for any cause relating to the business of said corporation against any person for moneys due said corporation, or for injury done to their corporate property, books or papers, or for causing the destruction by fire of any property by them insured; also, suits at law may be maintained against said corporation by any member thereof, for

losses or damage by fire, if payment is withheld more than three months after the company is duly notified of such loss, and no member, not being in his individual capacity interested, shall be incompetent as a witness in any such cause, as aforesaid, on the account of his being a member of said corporation.

SECTION 12. That every member of said corporation shall be bound to pay for losses or damage, and such necessary expense aforesaid, accruing in said corporation, in proportion to his or her deposit note. Liability of members.

SECTION 13. That it shall be the duty of the treasurer of said company, at the annual meeting, to exhibit in detail the condition of the finances of the company, and it shall further be the duty of the said treasurer and secretary of the company, at the annual meeting aforesaid, or whenever a majority of the board of directors shall require it, to produce all such books and papers as appertain to the business of the company before them. Treasurer to make an annual statement.

SECTION 14. That any member wishing to withdraw his or her insurance from the said company, shall surrender his or her policy to the directors to be cancelled, and upon such surrender shall be entitled to receive his or her deposit note, on payment of his or her proportion of losses and expenses accrued prior to such surrender. Withdrawals.

SECTION 15. That no policy shall be issued by said corporation, until application shall have been made for insurance to the amount of thirty thousand dollars. Issuing of policies regulated.

SECTION 16. That this act shall continue in force for twenty years, but the legislature may, at any time, alter, modify or annul its provisions; in such manner, however, as to do no injustice to the corporators. Reservation.

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The twenty-eighth day of March, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 617.

AN ACT

To incorporate the Thomas Iron Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Drake, Devrick Hulick, Peter S. Mickler, R. C. Chidsey, C. F. Randolph, Charles A. Luckenbach, J. P. Sholl and Matthew Krause, of the county of Northampton; David Thomas, Corporators.

Style.	Thomas Butz and Samuel Thomas, of Lehigh county, and Edwin A. Douglass and William Reed, of Carbon county, and such other persons as shall associate with them and their successors, be and they are hereby erected into a body politic and corporate, for the purpose of manufacturing iron in Lehigh county, under the name and style of the Thomas iron company, with a
Capital stock.	capital stock of two hundred thousand dollars to be divided into shares of fifty dollars each.
Organization.	SECTION 2. That the affairs of said company shall be managed by seven directors, one of whom shall be president, and a majority have power to act, which said directors shall be chosen from the stockholders ; the first election to be held within sixty days after this act shall take effect, of which election public notice shall be given at least two weeks previously thereto, in two or more newspapers in the county of Lehigh, and one or more in the county of Northampton, and the subsequent elections shall be held annually, at such convenient time and place as the directors shall determine, of which previous notice shall in like manner be given : <i>Provided</i> , That in case of failure to hold an election under this act, the former directors shall continue in office until their successors be duly elected, which must be within six months from the time of such failure.
Proviso.	
Election of officers	SECTION 3. That the election for directors shall be held by ballot, and each stockholder shall be entitled to vote according to the number of shares held in the following ratio, viz: For each share not exceeding two shares, one vote ; for every four shares above fifty, and not exceeding one hundred, one vote ; and for every six shares above one hundred, one vote ; no share shall confer the right of voting while any instalment thereon is due and unpaid, nor which shall have been transferred within three months from the day of election, nor unless <i>bonu fide</i> held by the person in whose name it appears in his own right, or that of his wife, or as executor, administrator, trustee or guardian ; and all votes by proxy shall be on the terms and conditions prescribed by the several acts of assembly regulating proxies.
Powers and privileges.	SECTION 4. That this corporation shall have authority to hold and use a common seal, with such device and inscription as they shall deem proper, and the same to break, alter and renew at pleasure ; and by the name of the Thomas iron company, shall be capable in law to sue and be sued, plead and be impleaded, in any court before any judge or justice, in all manner of suits, and all and every matter to do, in as full effect as any other person or persons, bodies corporate within the commonwealth, and is authorized and empowered to make by-laws and rules, and do everything needful for the good government of the affairs of the said corporation : <i>Provided</i> , That the said by-laws and rules be not repugnant to the constitution and laws of the United States or of this state.
Proviso.	
Debts limited.	SECTION 5. That the said corporation shall not at any time contract debts exceeding three times the amount of the capital stock paid in, and the stockholders shall be individually liable for the amount of capital stock by them respectively subscribed and not paid in, and shall forfeit the stock to the company if an instalment called for be not paid within sixty days after notice that it is due shall have been served on them.
May hold real estate.	SECTION 6. That the said company shall be able and capable in law to take, receive and hold in fee simple, or to lease lands

and tenements, and may sell, lease, mortgage or dispose of their interest in the same as they may deem expedient: *Provided*,^{Proviso.} The said lands shall not exceed in quantity five hundred acres at any one time, and shall lie within the counties of Lehigh and Northampton.

SECTION 7. That the said company shall use and employ their moneys and property in making and manufacturing iron, and transporting and vending the same, and in acquiring and using such necessary materials and conveniences as they may find advantageous; but they shall not exercise any banking privileges, nor do any thing which may not be necessary and proper to the business. ^{Objects.}

SECTION 8. That the said company shall, annually, on or soon after the first day of January, in each and every year, make a return, attested by the oaths of the president or secretary, of the amount of stock paid in, the number of acres of land owned by the company, the number of furnaces and works used by them, and the quantity of iron made within the current year, which returns shall be sent to the secretary of this commonwealth, who shall report the same to the legislature. ^{Annual return.}

SECTION 9. That dividends of so much of the profits as the directors may think advisable, shall be declared soon after the settlement of the books on the first day of January and July of every year, and be paid to the stockholders or their legal representatives, at any time on demand after the expiration of twenty days from such declaration, but the dividends shall in no case exceed the amount of net profits actually acquired by the company as exhibited by the books and accounts, and if the directors shall make a dividend of more than the net profits as shown by the books of the company, the directors consenting thereto shall be liable to the company in their individual capacity for the excess so divided and paid. ^{Dividends.}

SECTION 10. That the stock of said corporation shall be transferable agreeably to the by-laws adopted by the company, but no stock shall be transferred on which an instalment may be due and unpaid, unless with the consent of the directors. ^{Stock transferable.}

SECTION 11. That any land or property or materials for making iron which may be received in payment for subscriptions to stock, shall be taken at a valuation approved by the board of directors, or by a majority of the stockholders; and this act shall not go into effect until two hundred thousand dollars shall have been subscribed, and at least one-fourth be paid in, of which notice, verified by oath, shall be given to the governor. ^{Valuation in certain cases.}

SECTION 12. That the said company shall be required to pay to the state treasurer for the use of the commonwealth, a tax of one-half of one per centum upon the capital stock, to be paid in four annual payments, the first to be paid on the first Monday of July next, and the remaining instalments at intervals of twelve months each. ^{Tax to state.}

SECTION 13. That this charter shall continue in force for the term of twenty years from the date of its approval and no longer, unless extended by an act of the legislature; and the legislature reserves the right to amend, alter or repeal it at any time; in such manner, however, as shall not do injustice to the company nor to any individual thereof: *Provided*, That the stockholders in this company shall be jointly and severally liable in their individual capacities for debts due to miners, quarrymen and ^{Limitation of charter.} ^{Proviso.}

other laborers employed by this company, and for machinery and other materials furnished for this company.

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 618.

A FURTHER SUPPLEMENT

To an act, entitled "An Act to incorporate the Norristown and Freemansburg Railroad Company," approved the twenty-third day of April, Anno Domini one thousand eight hundred and fifty-two

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the name, style and title of the Norristown and Freemansburg railroad company be and the same is hereby changed to, and said corporation shall hereafter be known by the name of the Norristown and Allentown railroad company, with all the rights, privileges and immunities, and subject to all the provisions and penalties provided for and enjoined by the act incorporating the said company and the supplement thereto.*

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The sixth day of April, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 619.

A N A C T

To change the name of the borough of Cookstown, in Fayette county, and to authorize said borough to erect a Lock-up House.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Name changed. the borough of Cookstown, in the county of Fayette, shall be hereafter known by the name of Fayette City, and under that name shall have all the rights and privileges to which said borough is now entitled by law, and shall be subject to all the restrictions and liabilities to which said borough is now by law subjected to.

SECTION 2. That the burgess and town council of said borough, Lock-up house to be erected be and they are hereby authorized and empowered to have built or otherwise provided and supported in said borough, and at the expense thereof, a suitable building for the security and temporary detention of any person or persons committed by any justice of the peace of said borough or vicinity, or the burgess of said borough, or any member of the town council acting in his place, for any violation of the laws of this commonwealth, or of an ordinance or ordinances of the borough aforesaid, for which such person could be committed to the common jail of said county aforesaid, there to remain and be kept until such offender or offenders can be removed to the common jail of said county, if committed for any indictable offence, or until discharged according to law: Provide. That no person or persons shall be confined in said lock-up house, at any one time, for a longer period than twenty-four hours, except such person or persons as may be charged with an indictable offence, and when it may be necessary to detain him, her, or them, for a longer period for legal examination.

SECTION 3. That all laws or parts of laws inconsistent with Repeal this act, be and the same are hereby repealed.

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CALLIN,
Speaker of the Senate.

APPROVED—The eleventh day of April, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 620.

AN ACT

To authorize the Governor to incorporate a company to erect a bridge across the Juniata river, at the mouth of Hare's valley, in Huntingdon county.

Commissioners.

Duties.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Donaldson, Frank Haldeman, Andrew Wise, John M'Comb, John Dougherty, M. F. Campbell, Samuel Eby, George W. Spear, John R. Gosnell, Samuel Miller, James Henderson, be and they are hereby appointed commissioners to do and perform the duties hereinafter mentioned, to wit: They shall as soon as convenient after the passage of this act, procure one or more books, and enter therein as follows: We, whose names are hereunto subscribed, promise to pay to the president, managers and company of the Juniata and Hare's Valley bridge company the sum of twenty-five dollars for every share of stock in said company, set opposite our respective names, in such instalments and at such times as shall be required by the president and managers, in pursuance of an act of assembly, entitled "An Act to authorize the governor to incorporate a company to erect a bridge across the Juniata river, at the mouth of Hare's valley, in Huntingdon county, and shall thereupon proceed to receive subscriptions for the stock of said company, at such times and places as they shall think proper.

Letters patent.

Style.

Privileges.

SECTION 2. That when ten or more persons shall have subscribed one hundred shares of the said stock the said commissioners shall certify to the governor the names of the subscribers, and the number of shares by them subscribed, and thereupon it shall be lawful for the governor by letters patent, under his hand and the seal of the commonwealth, to create and erect the said subscribers, their associates, successors and assigns into one body politic and corporate, in deed and in law, by the name, style and title of Juniata and Hare's Valley bridge company, and by the same name the said subscribers shall have perpetual succession and all the privileges and franchises incident to a corporation, and shall be capable of taking and holding the said capital stock, and the increase and profits thereof, and enlarging the same from time to time, by new subscriptions, in such manner and form as they shall think proper, if such enlargement shall be found necessary to fulfil the object and intent of this act, and of taking, purchasing and holding to them and their successors, in fee simple or for any less estate, all such lands, tenements, hereditaments and estates, real and personal, as shall be necessary in the prosecution of their work, and the same at pleasure, to grant, bargain and sell, of suing and being sued, and of doing all and every other matter or thing which a corporation or body politic may lawfully do.

Organization.

SECTION 3. That the first named five persons, in the letters patent to be issued as aforesaid, shall as soon as convenient after issuing the same, give notice in a newspaper published in the

county of Huntington, of a time and place to be by them appointed, not less than twenty days from the time of publishing the first notice, at which time and place the said subscribers shall organize the said corporation, and shall choose by a majority of the votes of the said subscribers by ballot, either in person or by proxy duly authorized, one president, six managers, one treasurer and such other officers as they may deem necessary, to conduct the business of said company for one year and until other officers shall be duly chosen, which said officers and their successors shall have authority to make such by-laws, rules and regulations as shall be necessary for the well ordering of the affairs of the company: *Provided*, That each stockholder shall be entitled to one vote for every share of stock held by such voter, not exceeding ten shares, and one vote for every two shares of stock above ten shares: *And provided* further, That no share shall confer a right of voting which shall have been transferred within one month prior to the day of election, nor unless it be *bona fide* held or owned by the person in whose name it appears, in his own right or that of his wife, or for his or her sole use and benefit, or as executor or administrator, trustee or guardian, or in the right or for the use and benefit of a co-partnership, society or corporation of which he or she may be a member, and all votes by proxy shall be on the terms and conditions prescribed by the act passed the twenty-eighth of March, Anno Domini one thousand eight hundred and twenty, entitled "An Act to regulate proxies."

Proviso.

Proviso.

SECTION 4. That an election shall be held annually on the first Monday of January, at such place as shall be directed by the president and managers, for the election of the officers hereinbefore provided to be elected.

Annual election

SECTION 5. That the corporation created by virtue of this act, shall have full power and authority to make, have and use one common seal, with such device and inscription as they shall deem proper, and the same to break, alter and renew at pleasure.

Seal.

SECTION 6. That certificates of stock shall be issued to the subscribers, signed by the president and countersigned by the treasurer, and sealed with the seal of the corporation, which certificates shall be transferable at the pleasure of the owner in person or by attorney, in the presence of the president or treasurer.

Certificate of stock.

SECTION 7. That the president and managers shall meet at such times and places as they shall agree upon, any five of whom shall constitute a quorum for the transaction of business; in the absence of the president, a president *pro tempore* shall be chosen; minutes of all the transactions of the said president and managers shall be entered in a book to be kept for that purpose.

Meetings of managers.

SECTION 8. That the said president and managers, or a quorum thereof, shall have full power and authority to agree with and appoint such engineers, superintendents, artists and other officers as they shall deem necessary to conduct the business of the company: to agree upon the salaries and wages of the persons employed; to direct the times and proportions in which the stock subscribed; to draw orders on the treasurer for all moneys payable by the company, which orders shall be signed by the president and countersigned by the secretary of the board, and to do and perform all other matters and things needful and necessary, for carrying fully into effect the true intent and meaning of this act.

Their powers.

Payment of stock. SECTION 9. That if after thirty days' notice in any newspaper in the county of Huntingdon, of the time and place for the payment of any proportion or instalment of the said stock, any stockholder shall neglect to pay such proportion or instalment at the place appointed, for the space of thirty days after the time so appointed, every such stockholder or his assignees shall, in addition to such instalment, pay at the rate of two per centum per month for delay of such payment, and the said president and managers may declare any stock forfeited to the use of the company, upon which any instalment shall remain unpaid for the space of six months after the time appointed for the payment thereof; and such forfeited stock may be sold and transferred by the said president and managers for the benefit of the company, to any person or persons, who will purchase the same, or in default of payment by any stockholder of any instalment as aforesaid, the president and managers may at their election cause suit to be brought before any justice of the peace, or in any court having competent jurisdiction, for the recovery of the same, together with the penalty aforesaid: *Provided*, That no stockholder, whether an original subscriber or assignee, shall be entitled to vote at any election, or general or special meeting of the said company, on whose share or shares any instalment or arrearages may be due and payable more than thirty days previously to the election or meeting.

Proviso

Bonds

SECTION 10. That the president and managers of the said company shall demand and require of and from the treasurer, and may demand and require of and from all and every other, the officers and other persons by them employed, bonds in sufficient penalties and with one or more sureties, for the faithful discharge of the several duties and trusts to them respectively committed.

Accounts to be kept

SECTION 11. That fair and just accounts shall be kept of all moneys received by the said commissioners from the subscribers of stock to said company, and by the president, managers, and treasurer after the organization of said company, of all moneys received on account of any share or shares, and of all penalties for delay in payment of stock, and of the amount of profits on shares that may be forfeited as aforesaid, and also of all moneys by them expended in the prosecution of said work, and shall at least once in every year submit the said accounts to a general meeting of the stockholders.

Tolls

SECTION 12. That when the said bridge shall be completed, the property thereof shall be vested in the said company, their successors and assigns forever, and the said company, their successors and assigns, may demand and receive tolls from travelers and others not exceeding the following rates, to wit: For every carriage used for the purpose of trade or agriculture, having four wheels and drawn by four horses, twenty-five cents; for every such carriage drawn by two horses, fifteen cents; for every carriage used for the purpose of personal accommodation or pleasure, having four wheels and drawn by four horses, twenty-five cents; for every such carriage drawn by two horses, fifteen cents; for every dearborn wagon and buggy, and for every chair or other two wheeled carriage of pleasure, drawn by one horse, ten cents; for every sleigh or sled, drawn by four horses, twenty-five cents; for every such sleigh or sled, drawn by two horses, fifteen cents; for every such sleigh or sled, drawn by one horse, ten cents; every horse with a rider, six

cents; every carriage drawn by oxen, or partly by horses and partly by oxen, to be rated in the proportion of two oxen for one horse; and in all cases a mule shall be rated the same as a horse; for every horse without a rider, three cents; for every score of sheep or swine, ten cents; for every head of horned or muly cattle, three cents; and for every foot passenger, one cent: *Provided*, That every person going to, or returning from a funeral, divine worship, elections, military trainings, and students or children attending any school or seminary of learning, shall at all times be exempt from the payment of tolls. Proviso.

SECTION 13. That if the said company shall demand or receive any greater rates or prices for passing over the said bridge than is hereinbefore prescribed and specified, or shall neglect to keep the said bridge in good repair, they shall forfeit and pay for every such excessive charge or neglect, the sum of ten dollars, to be recovered in an action *qui tam* before any justice of the peace or court of competent jurisdiction, one-half for the person who may sue for the same, and the other half for the use of the poor of the county of Huntingdon: *Provided*, That no such suit or action shall be brought after the lapse of thirty days after the cause of action hath accrued. Penalty for taking illegal tolls.
Proviso.

SECTION 14. That if any person or persons, passing over the said bridge, shall falsely represent that he, she, or they are going to, or returning from a funeral, divine worship, or election, or military training, every such person shall forfeit and pay the sum of five dollars, to be recovered in the corporate name of the said company, before any justice of the peace or other court of competent jurisdiction, by action of debt or otherwise, as debts of like amount are by law recoverable. Penalty for evading payment of tolls.

SECTION 15. That dividends of the clear profits of the said bridge shall be made on the first Mondays in April and October in each year, after the full payment of all the debts, charges and expenses for the building thereof. Dividends.

SECTION 16. That the supervisors of the townships of Union, Cass, Brady and Shirley, in Huntingdon county, may, if desired by a majority of the taxable inhabitants of their respective townships, subscribe in the names of their townships, for any number of the shares of stock of said bridge company. Certain township subscription authorized.

SECTION 17. That said corporation shall have power to borrow any amount of money not exceeding fifteen hundred dollars, to aid in the construction of said bridge, for the payment of which the franchises and immunities of said corporation shall be bound: *Provided*, That said corporation shall not issue any bond for a less amount than one hundred dollars. May borrow money.
Proviso.

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The thirteenth day of April, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 621.

A N A C T

To extend the Charter of the Bank of Gettysburg.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the charter of the Bank of Gettysburg is hereby extended for the period of fifteen years from the expiration of the present charter; subject to all the restrictions and provisions, and with all the immunities and privileges, contained in an act, entitled "An Act regulating banks," approved the sixteenth day of April, one thousand eight hundred and fifty.*

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 622.

A N A C T

To extend the Charter of the Bank of Northumberland, at Northumberland.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the charter of the Bank of Northumberland, at Northumberland, Pennsylvania, be and the same is hereby continued and extended for the period of fifteen years, from and after the expiration of its present charter; subject to all the provisions, limitations, restrictions and privileges of the act of assembly, entitled "An Act regulating banks," approved the sixteenth day of April, Anno Domini one thousand eight hundred and fifty.*

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The eighteenth day of April, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 623.

A N A C T

To incorporate the Mahoning and Susquehanna Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Commissioners John Gilpin, William P. Gaskell, George Miller, Thomas Allison, Henry Kinter, William Moorehead, John Gourley, William Campbell, James H. Bell, Woodward Reynolds, William E. Gillespie, G. H. Munduff, Thomas McKee, P. W. Jenks and David Barclay, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions of stock, and organize a company, by the name, style and title of the Mahoning and Susquehanna railroad company, with all the powers and subject to all the duties, restrictions and regulations prescribed by an act of assembly of this commonwealth, entitled "An Act regulating railroad companies," approved nineteenth day of February, Anno Domini one thousand eight hundred and forty-nine, so far as the same are not altered and supplied by the provisions of this act. Style.
Subject to certain acts.

SECTION 2. That the capital stock of said company shall consist of six thousand shares, of fifty dollars each, which said capital stock may be increased, if the exigencies of the company shall require it, to any sum not exceeding two millions of dollars, as the president and directors of said company may deem expedient. Capital stock

SECTION 3. That said company shall have the right to build and construct a railroad from the borough of Indiana, by way of Punxsutawney, to some point on the Sunbury and Erie railroad, in Elk or M'Kean counties, with single or double track and of any gauge that shall be deemed advisable by the president and directors of said company, by the most direct and eligible route, and such grades as will, in the opinion of said president and directors, most conduce to the public interest, and to connect with any railroad now constructed or which may hereafter be constructed at either end or at any intermediate point on the line or route thereof. Route.

SECTION 4. That whenever any section or sections of five miles or more of said railroad shall be completed, the said company may use, occupy and enjoy the same, as fully and in the same manner as if the whole of said road were completed. Fare, tolls, &c

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The nineteenth day of April, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 624.

A SUPPLEMENT

To an act incorporating the Catasauqua and Fogelsville Plank Road Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* it shall be lawful for the Catasauqua and Fogelsville plank road company, if they shall so elect, to construct a railroad, instead of the plank road contemplated in their charter, and on the route therein mentioned, under the several powers, provisions and regulations of the tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth and twentieth sections of an act regulating railroad companies, approved the nineteenth day of February, one thousand eight hundred and forty-nine, and to connect the same with any railroads which may be constructed in its vicinity: *Provided*, That the said company shall form a connection with the Lehigh Valley railroad, on the same level and with the same gauge, and having at the point of junction a curvature of not less than nine hundred feet radius.

May make a railroad instead of a plank road.

Subject to certain laws.

Proviso.

Named changed.

SECTION 2. That the corporate name of said company be and the same is hereby changed to that of the Catasauqua and Fogelsville railroad company.

E. B. CHASE,
Speaker of the House of Representatives.

M. MCASLIN,
Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 625.

AN ACT

To incorporate the Central American Mining Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Stephen R. Crawford, William M. Godwin, Lawrence Johnson, James R. Struthers, James Devereux, Ambrose W. Thompson, George H. Hart, Samuel Pleasants, Joshua L. Price, William

Corporators.

A. Crabb, Paul B. Goddard, Ephraim W. Hamlin, their associates, successors and assigns, be and they are hereby created a body politic and corporate, by the name, style and title of the Central American mining company, and by such title shall have perpetual succession, and shall be capable to hold and improve lands in Central America, and to obtain therefrom all minerals or other valuable substances, whether by mining or working, or by the leasing or disposing of privileges to mine or work such lands, as aforesaid; to construct and open for use any and all kinds of roads to and from all portions and bodies of the lands of the said company: to have and possess all necessary powers to colonize the said lands, to erect houses, mills and manufactories thereon, and to use and work the same; to hold and possess the means of communicating therewith, and to dispose of the products of all such lands, mines, manufactories, mills, roads and privileges as may be to the interest of said company.

Style.

Privileges.

SECTION 2. That said company shall have the power of making and establishing such by-laws as they may deem necessary or expedient, to enable them to carry out the object of the corporation; and such by-laws to alter, amend or repeal at their pleasure; and they shall have the power to issue certificates of stock, or bonds representing the value of said property, in such form and manner as the by-laws may determine.

By laws

SECTION 3. That the corporators herein named shall serve as directors of the company, a majority of whom shall be a quorum for the transaction of business, until the time which the by-laws shall prescribe for the election of a new board, and until a new board shall be chosen.

Directors ex-officio.

SECTION 4. That said company shall pay into the state treasury, for the use of the commonwealth, a bonus of five hundred dollars, within one year after the passage of this act.

Bonus.

SECTION 5. That the stockholders of said company shall be liable, in their individual capacities, for all the debts and liabilities thereof.

Individual liability.

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 626.

AN ACT

To annul the Marriage Contract entered into between Sarah Elizabeth Ross and Benjamin C. Ross.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

the marriage contract entered into between Sarah Elizabeth Ross, late Sarah Elizabeth Renfrew, and Benjamin C. Ross, of Franklin county, be and the same is hereby declared null and void, and said parties are hereby discharged from all liabilities and obligations growing out of the same, as fully and absolutely as if they had never been joined in marriage.

E. B. CHASE,

Speaker of the House of Representatives.

M. MCASLIN,

Speaker of the Senate.

We do hereby certify, that the bill, entitled "An Act to annul the marriage contract entered into between Sarah Elizabeth Ross and Benjamin C. Ross," was presented to the governor on the thirtieth day of March, one thousand eight hundred and fifty-four, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

WM. JACK,

Clerk of the House of Representatives.

THOMAS A. MAGUIRE,

Clerk of the Senate.

HARRISBURG, April 26, 1854.

No. 627.

AN ACT

To annul the Marriage Contract between Edward H. Rauch and Emeline, his wife.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the marriage contract entered into between Edward H. Rauch, now of Northampton county, and Emeline, his wife, be and the same is hereby annulled and made void, and the parties released and discharged from said contract and from the duties and obligations arising therefrom, as fully, effectually and absolutely as if they had never been joined in marriage.*

E. B. CHASE,

Speaker of the House of Representatives.

M. MCASLIN,

Speaker of the Senate.

We certify that the bill, entitled "An Act to annul the marriage contract between Edward H. Rauch and Emeline, his wife," was presented to the governor on the twenty-ninth of March, one thousand eight hundred and fifty-four, and was not

returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

WM. JACK,
Clerk of the House of Representatives.

THOS. A. MAGUIRE,
Clerk of the Senate.

April 26, A. D. 1854.

No. 628.

AN ACT

To incorporate the Allegheny Mountain Health Institute.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Doctor R. M. S. Jackson, Doctor Charles D. Miegs, John Porter, John Gemmill, Doctor A. A. Henderson, Herman Haupt, Samuel Donnelly and Doctor A. H. Gross, or any three or more of them be and they are hereby appointed commissioners to do and perform the following duties, that is to say: they shall at such time or times, place or places, and upon such notice as they may deem expedient, open books for the purpose of receiving subscriptions to the capital stock of the association incorporated by this act, and they may adjourn from time to time, and to such places as they may deem proper, until the whole amount of stock authorized by this act shall be subscribed; and if the whole amount of said stock shall not have been taken before the organization of said association, it shall be lawful for the president and directors, for the time being, to receive such subscriptions of stock until the whole amount thereof shall be taken. Commissioners.
Subscriptions.

SECTION 2. That the capital stock of said association shall be one hundred thousand dollars, with the privilege to increase the same to two hundred thousand dollars, by a vote of the directors, in shares of twenty-five dollars each, certificates whereof shall be issued to the subscribers for the number of shares by them respectively subscribed, signed by the president, countersigned by the secretary, and sealed with the common seal of said corporation, which stock shall be transferable in person or by attorney, executors, administrators, guardians or trustees, under such regulations and restrictions as may be provided by the by laws. Capital stock.

SECTION 3. That when ten per centum on said capital stock shall have been subscribed, and one dollar on each and every share thereof shall have been paid the commissioners aforesaid, Charter.

	<p>or such of them as shall have acted, shall certify to the governor, under their hands and seals, the names of the subscribers, the number of shares subscribed by each, and that one dollar on each share thereof have been paid; whereupon the governor shall, by letters patent, under his hand and the seal of the commonwealth, create and constitute the said subscribers, and those that may thereafter be associated with them, their successors and assigns, into a body politic and corporate, in deed and in law, by the name, style and title of the Allegheny Mountain health institute, and by that name to have perpetual succession, with all the privileges, franchises and immunities incident to a corporation; and may sue and be sued, implead and be impleaded, complain and defend in all courts of law and equity, of record or otherwise, may make, have and use a common seal, and the same may alter and amend at pleasure, may ordain such by-laws, ordinances and regulations as may be necessary and convenient for the proper government of said corporation, the same not [not] being contrary to the constitution and laws of the United States and this commonwealth, and generally may do all and singular the matters and things necessary for the well being and due management of said corporation; and also as such shall have power to purchase lands on the Allegheny mountains, in the counties of Blair and Cambria, not exceeding two thousand acres in quantity, and make such improvements to and upon the same as to said corporation may seem expedient and proper.</p>
Style.	
Privileged.	
Objects.	<p>SECTION 4. That the objects of the corporation hereby created shall be to provide suitable buildings and grounds for the treatment of invalids and the amusement of persons seeking recreation; also, to found a museum, library, observatory and other facilities for the promotion of natural science.</p>
Organization.	<p>SECTION 5. That as soon as conveniently may be after the said letters patent shall be obtained, the said commissioners who may have assumed the duties mentioned in this act, or any three of them, shall appoint a time and place for the subscribers to meet, for the purpose of organizing the association, giving at least three weeks' notice thereof in at least one paper published in the borough of Ebensburg, and one paper published in the city of Philadelphia; and the subscribers, when met at the time and place so appointed, shall elect, by a majority of the votes given, in person or by proxy, a president and six directors, who shall manage the affairs and business of said association until the first Monday of August then next ensuing, and until others are chosen: <i>Provided</i>, That no person shall be eligible to the office of president or director who does not own at least five shares of stock: <i>And provided further</i>, That in case of the resignation or death of the president or any director, the remaining directors shall, by a majority of the whole board, supply the vacancy until the next annual election.</p>
Proviso.	
Proviso.	
Powers of officers.	<p>SECTION 6. That the president and directors of said association, for the time being, are hereby authorized and empowered to exercise all the powers granted to the corporation; they shall meet at such times and places as they may deem most convenient for the transaction of their business, and when met, four shall be a quorum; the president, if present, shall preside at all meetings, and have the right to vote only in case of a tie; in the absence of the president, the board shall appoint a president <i>pro tem.</i>; they shall keep minutes of their proceedings in a</p>
Quorum.	

suitable book to be provided for that purpose, shall choose a secretary and treasurer, and may appoint and employ all such officers, agents, superintendents, artificers, workmen or other persons as, in their opinion, may be necessary and proper in the management of the affairs and business of said association, at such times, in such manner, and under such regulations as they may determine; they shall fix the salaries and wages of such officer and persons employed by them, and may require bond, with security, in such sums as they may deem proper, of each and any of said officers or other persons by them appointed or employed, for the faithful discharge of their duties; they are also authorized to design, determine and contract for any improvements they may deem necessary for the accommodation of visitors and the beauty and adornment of the grounds of the corporation, and to lease the property belonging to the corporation to such lessee or lessees, for such term or terms and at such annual rents as may be determined by the board, and generally may do all such acts, matters and things, as by this act and the by-laws of the association, they may be authorized to do: *Provided*, That the said stockholders shall be personally liable, in their individual capacity, for all debts legally contracted by the said association.

Secretary, &c.

Official bonds.

Proviso.

SECTION 7. That dividends of so much of the profits of the company as shall appear advisable to the directors, shall be declared and paid to the stockholders or their representatives, at such times and places as may be provided by the by-laws.

Dividends.

SECTION 8. That the elections for directors shall be conducted as follows, to wit: At the first election, the commissioners who have acted, or any three of them, shall appoint three stockholders, not being candidates, to be judges of the said election, and to hold the same; and at every succeeding election, the directors for the time being shall appoint three stockholders, who shall not be directors nor candidates, for the like purpose; and the persons so appointed by the commissioners or directors, shall respectively take and subscribe, on oath or affirmation, before any officer competent to administer the same, well and truly and according to law to conduct such election, to the best of their knowledge and ability; and the said judges shall decide upon the qualification of voters, and when the election is closed, shall count the votes and declare who is elected, and certify the same, at the first election, to the commissioners who appointed them, and at all subsequent elections to the directors; and if at any time it shall happen that an election of directors shall not be held at the time specified, the corporation shall not for that reason be dissolved; but it shall be lawful to hold such election on any day within one year thereafter, by giving at least ten days' previous notice of the time and place of holding such election, in one paper published in the borough of Ebensburg and one paper published in the city of Philadelphia; and the directors of the preceding year to continue in office, with all the powers belonging to them as such, until others are elected; each share of stock shall entitle the holder thereof to one vote, and each ballot shall have endorsed thereon the number of shares thereby represented; no proxy shall be received or entitle the holder thereof to vote at any election or general meeting, unless the same shall bear date and have been duly executed within three months next preceding such election or general meeting.

Elections of officers regulated.

Annual election. SECTION 9. That the annual election of officers of such association shall be held on the first Monday of August in each and every year, at such place as shall be fixed upon by the said commissioners and directors ; and notice thereof shall be given by the secretary, in the same manner as is required in the seventh section of this act.

By-Laws SECTION 10. That the stockholders of said association shall have power, at any general meeting for the election of president and directors, or any meeting called for the purpose, may alter or amend the by-laws enacted by the board of directors: *Provided*, That notice of such meeting and the proposed alterations or amendments, shall have been given by publication, as required in the seventh section of this act.

Reservation. SECTION 11. That nothing in this act contained shall be construed to authorize the said association to engage in any banking business ; and the legislature hereby reserves the right to alter, annul or revoke this charter and the powers hereby granted, whenever they may see proper or the public interest may require it, so that no injustice be done to the stockholders.

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The twenty-ninth day of April, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 629.

AN ACT

To incorporate the Mechanicsburg Gas and Water Company.

Commissioners. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Ira Day, R. Wilson, Joseph Millison, Andrew J. Kaufman, Ephraim Zug, William Henry, Adam Hauck, John Hoover, Samuel Zacharias, Jeremiah Senseman, John Palmer, George Stainer, Peter Barnhart, George Houck, John Reigel, Henry Lease, or any three of them, are hereby appointed commissioners, who shall procure suitable books, and in each of them enter as follows: We, whose names are hereto subscribed, promise to pay to the Mechanicsburg gas and water company, the sum of twenty dollars for every share of stock set opposite to our respective names, in such manner and proportions, and at such times as shall be determined on by the president and managers of the said company, in pursuance of the act of assembly to incorporate the Mechanicsburg gas and water company. Witness

Duties

our hands and seals the day of Anno Domini
 one thousand eight hundred and fifty-four; and after they shall
 have given notice for twenty days of the time and place, they
 shall open the said books to receive subscriptions for the stock
 of the said company, and permit all persons of lawful age to
 subscribe for shares in said stock, until one thousand shares shall
 have been subscribed; and the said commissioners who shall be
 present, shall have power to adjourn, from time to time, as they
 shall deem expedient, until the said stock, or such part thereof
 as shall be necessary, shall have been subscribed.

SECTION 2. That when three hundred shares of the stock shall
 have been subscribed, and one dollar paid on each share so sub-
 scribed, the said commissioners, or any three of them, shall cer-
 tify the fact to the governor, with the names of the subscribers
 and the number of shares by each of them subscribed, and the
 amount paid thereon; whereupon, the governor shall, by letters
 patent, create and erect the subscribers, and such who may
 afterwards subscribe to the number of one thousand shares, into
 a body politic and corporate in law, by the name, style and title of
 the Mechanicsburg gas and water company, in which name they
 may sue and be sued, and have perpetual succession, may pur-
 chase, receive and have to them and their successors, all goods,
 chattels and estates, real and personal, as may be necessary and
 proper for carrying into effect the objects and purposes of this
 incorporation, and the same from time to time, to sell, mortgage
 or otherwise dispose of, make dividends of the profits as they
 may deem proper, and to make and use a common seal, and also
 to ordain and put in execution, such by-laws and ordinances as
 shall be necessary and convenient for the government of the
 said company and the preservation and security of their works
 and property, they not being contrary to the laws of this state
 or the United States, and if penalties shall be inflicted by any
 such by-laws, they shall be recovered as debts of like amount
 are recoverable, or punished as like offences are punished, and
 generally to do the matters and things which lawfully appertain
 for them to do for the well-being of the company: *Provided*,
 That nothing herein contained shall be considered as in any way
 giving to said company any banking privileges whatever, or any
 franchises, but such as are or may be necessary or incident to
 the distribution of gas or water in the borough of Mechanics-
 burg.

Letters patent.

Style.

Privileges.

SECTION 3. That when the letters patent shall have been ob-
 tained the said commissioners shall give ten days' notice of the
 time and place for the stockholders to meet and organize the
 company, and to choose by a majority of their votes by ballot,
 in person or by proxy, one president and eight managers, who
 shall manage and conduct the business of the company until
 the second Monday of May then next ensuing, and until like
 officers shall be chosen.

Organization.

SECTION 4. That the stockholders shall meet annually on the
 second Monday of May, at such place as the by-laws shall fix, of
 which public notice shall be given, and choose by a majority of
 their votes their officers for the ensuing year, and the stock-
 holders shall meet at such other times as they may be summoned
 by the managers, at which annual or special meeting they shall
 have power to make, alter or repeal by a majority of their votes,
 all by-laws, orders or regulations, and to adopt such measures
 regarding the interests of the company, as to them shall be

Election of officers

deemed expedient, and which shall be carried into effect by the president and board of managers.

Certificates of stock.

SECTION 5. That the president and managers shall procure certificates of stock, which, signed by the president and treasurer, and sealed with the corporate seal, shall be delivered to each stockholder, and which shall be transferable at his pleasure, in the presence of the president, treasurer or other person appointed by the company for that purpose, subject, however, to all payments due and to become due thereon; and when such assignment shall have been made and entered upon the books of the said company the holder shall be a member of the said company, and in every election or meeting the stockholders of the said company shall be entitled to one vote for each share of stock by him or her held.

Transfer of stock.

Forfeiture of stock

SECTION 6. That if any subscriber for stock or his assignee, shall refuse or neglect to pay any instalment called for by the said company at the place appointed, and the same shall remain unpaid for thirty days after the time appointed, he shall in addition to the instalment called for, pay at the rate of five per centum per month for delay; and if the same shall remain unpaid so long as that this penalty shall amount to the sum actually paid in by the said stockholder, it shall be in the power of the said company to forfeit the said stock, and the amount paid thereon to be disposed of by the said company as will best promote their objects and interests.

Powers.

SECTION 7. That the said company shall have power to provide, erect and maintain all works and machinery or engines, necessary or proper for making, raising and introducing into the borough of Mechanicsburg a sufficient supply of gas and pure water, and for that purpose may provide, erect and maintain all proper buildings, cisterns and reservoirs for the reception of the gas and water to be introduced, and for this purpose they are authorized and empowered by themselves, their agents, engineers and workmen, and with their tools, carts, wagons and horses to enter into such lands and enclosures, streets, lanes and alleys, roads and highways, as may be necessary to occupy or to obtain materials for the construction of the said works, and to occupy, ditch and lay pipes through the same, and the same from time to time to repair, as necessity shall require, and if any injury be done to private property the said company shall make compensation therefor, in the manner hereafter provided.

Damages to private property.

SECTION 8. That if in the location of the said works, an injury shall be done to private property and the parties cannot agree upon the amount of compensation to be made to the owner, they may refer the subject to men mutually chosen by them, or either party may apply to the court of common pleas for the appointment of three judicious men to view the premises, and make report to the court, whose award shall be subject to the right of appeal by either party, and when appealed from to be tried as other cases are tried, in which damages are claimed by the plaintiff, or if no appeal be entered by either party, within twenty days from the date of the award, it shall have the effect of a judgment and be collected in like manner.

Prices of gas and water.

SECTION 9. That when the said company shall have introduced gas and water into the said borough of Mechanicsburg, and shall have constructed the necessary buildings, reservoirs, fixtures, hydrants, pipes and fire-plugs, wherever they shall deem the same necessary and proper, they shall then fix and

determine equitably uniform rates of prices, to be paid by the citizens for the use of the said gas and water; and if the said rates be not paid according to the terms of the contract between the citizens who shall use the same, and the company, the same may be collected by the said company, as county rates and levies are now collected, or by action as debts of like amount are recoverable, at their option.

SECTION 10. That if any person or persons shall put, or cause to be put, or in any way introduce into the dam or reservoir from which the water of said company is supplied, any noxious or offensive matter, or shall go in to swim or bathe in the same, or shall cut, deface, or injure any part of the buildings, machinery, or works of the said company, every such person shall pay a sum not less than five, nor more than one hundred dollars, at the discretion of a magistrate, to be recovered as debts of like amount are recoverable, one-half for the use of the person who shall sue for the same, and the other half for the use of the company; and if the person against whom a judgment shall be rendered, shall not pay the same, and no goods or chattels of his can be found upon which levy may be made to satisfy the same, then any person so offending shall be committed to the jail of the county of Cumberland, for any period not less than five, nor more than sixty days.

Penalty for injury to works, &c.

SECTION 11. That it shall not be obligatory upon the said company to carry into effect all the objects contemplated by this act; and if upon opening the said books for the subscription of stock there shall not be a sufficient sum subscribed to effectuate the object of introducing both gas and water into the said borough of Mechanicsburg, then it shall be in the power of the said company, when organized, to confine their means to the attainment of either the introduction of gas or water, or both, as the exigencies of the case in their judgment shall require.

Company may erect either gas or water works, or both.

SECTION 12. That it shall be lawful for the borough of Mechanicsburg, in its corporate capacity, to subscribe for any number of shares not exceeding one third of the capital stock of said company, if a majority of the citizens of said borough, voting at an election to be held for that purpose, shall so determine; ten days' notice of the time and place, when and where such election shall be held, to be given by at least three printed or written advertisements, put up at the most public places in said borough; and to enable said borough to subscribe, the council are hereby authorized to borrow from time to time, any amount of money not exceeding the amount subscribed, and pledge their property and franchises for the re-payment of the same: *Provided*, That said election and subscription shall be held and made within one year after the passage of this act: *And provided further*, That no bonds shall be issued for a less sum than one hundred dollars.

Borough of Mechanicsburg may subscribe for stock.

Proviso.

SECTION 13. That if the said borough of Mechanicsburg shall subscribe and take the one-third of the capital stock of said company, the town council of said borough shall annually appoint three of the managers of said company, and the president and the other five managers shall be elected by the individual stockholders, who alone shall have power to vote at elections and meetings of the company.

Town council to appoint three managers annually.

SECTION 14. That said company is hereby required to pay a dividend of six per centum per annum, upon the stock subscribed

Dividends.

and amount paid by each stockholder, until the said work or works, as shall be determined, shall be completed.

May borrow money.

SECTION 15. That the said company, if necessity require, shall have power, at any time, to borrow any sum of money not exceeding ten thousand dollars, to be applied to the prosecution or improvement of the said work or works, and to pledge their goods and chattels, property, franchises and effects, by mortgage or otherwise, for the security and re-payment of the same.

E. B. CHASE,
Speaker of the House of Representatives.

M. MCASLIN,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 630.

AN ACT

To incorporate the South Mountain Railroad Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That A. O. Heister, Jacob Shell, Geo. M. Lauman, Amos Earley, Thomas Barnet, Daniel W. Gross, Jas. M'Cormick, Jacob M. Haldeman, Wm. Ayres and David R. Porter, of Dauphin county; Jacob B. Weidman, A. Bates Grubb, Edw'd B. Grubb, Elias E. Kintzer, John Harper, Lyon Lemberger, John B. Seltzer, John Weidman, John Brunner, Sam'l Rank, David M. Rank, George Heilman, Jacob Houtey, Jacob Snotlerly, John Meily and Henry B. Seidle, of Lebanon county; J. A. Beitenman, George Shenk, Jas. Leibert, Ben'n Nunamacher, Solomon Albright, Franklin Wagner, Daniel Moyer, Will'm Shommo, Adam Schoener, Valentine Brobst, Benjamin Klahr, Frederick Harner, Isaac Gerhart, Martin Mayer, Henry Shubart and Philip Kline, of Berks county, or any five of them, be and they are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the South Mountain railroad company, with all the powers, and subject to all the provisions and restrictions prescribed by an act, entitled "An Act regulating railroad companies," approved the nineteenth day of February, one thousand eight hundred and forty-nine.

SECTION 2. That the capital stock of said company shall consist of fifteen thousand shares of fifty dollars each: *Provided*, Said company may, from time to time, by a vote of the stockholders, at a meeting called for that purpose, increase their capi-

Commissioners.

Style.

Subject to certain act.

Capital stock.

tal stock so much as in their opinion may be necessary to complete said road, and to carry out the true intent and meaning of this act.

SECTION 3. Said company shall have power and authority to build or construct a railroad, beginning at or near Harrisburg, in Dauphin county, and thence along the south side of the Blue mountain by the most expedient and practicable route to Jonestown, in Lebanon county, and thence along said south side of the Blue mountain to Rehrersburg, and thence to the borough of Hamburg, in Berks county, to connect with any railroad or public improvement which is or may be constructed at either end of the said route, as the president and directors of said company may deem most expedient to the public interest; and also to connect their road, by lateral or branch roads, with any railroad constructed or to be constructed in any of the counties through which the same may pass. Route.

SECTION 4. That if the said company shall not commence the construction of said road within five years, and complete it in ten years from the passage of this act, the same shall be null and void, except so far as the same may be necessary to settle up the affairs and pay the debts of said company. Commencement and completion

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 631.

AN ACT

To incorporate the Greenwood Cemetery Company of the borough of Tamaqua.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Rowland Jones, William Donaldson, Richard Carter, Matthew Newkirk, F. M. Buck, John Hendricks, Reuben Heaten, Frederick Koll, Charles Mayer, Samuel Woodward, Edward Dubois, Henry Hahne and Benjamin Heilner be and they, and their successors, are hereby created a body politic in law, under the name and title of the Greenwood cemetery company of the borough of Tamaqua, with all the powers, privileges and immunities contained in act to incorporate the Meadville cemetery, approved

the eleventh day of March, Anno Domini one thousand eight hundred and fifty-two.

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 632.

A N A C T

To incorporate the Little Clearfield Creek Navigation Company.

Corporators.

Style.

Powers.

Officers.

Time of election.

Objects.

Proviso.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Dunlap, Ross Read, George M'Cracken, David Erhard, Isaac Thompson, Peter Mays, and others, their co-subscribers towards improving the navigation of Little Clearfield creek, in the county of Clearfield, and all who may hereafter become subscribers thereto, and their successors, shall be and they are hereby created and declared a body corporate, by the name and style of the Little Clearfield Creek navigation company, and by that name shall have perpetual succession, and shall be capable to sue and be sued, plead and be impleaded in any court of law, or elsewhere, and to ordain and put in execution, all such by-laws and rules not contrary to this act and the constitution and laws of this commonwealth, as shall be necessary and convenient for carrying into full effect the object of the association.

SECTION 2. The affairs of the association shall be under the control of six managers, to be elected from among and by the members, in such manner and at such times as the by-laws made in pursuance of this act shall specify, and the first election for managers, shall be held at a time and place to be fixed by the subscribers named in the first section of this act, or a majority thereof.

SECTION 3. The said company shall have power to enter upon lands adjoining said creek, and dig and remove the soil therefrom wide enough for the floating of rafted timber, and generally shall have power to open, enlarge, widen, straighten and render deep the channel of said creek, so that the timber upon and contiguous to said stream may, when rafted, have a commodious and safe stream wherein it may be floated to market: *Provided,* That before said company shall enter upon and take such lands and materials as aforesaid, they shall make ample compensation to the owner or owners thereof or give adequate security therefor.

SECTION 4. That if the said parties and the owners of any such lands or materials cannot agree upon the compensation to be made, the court of common pleas of the county in which the lands lies, on the application of either party, shall appoint three disinterested persons to value and assess the same and make report to the court, subject to the right of appeal as in cases of awards under the compulsory arbitration law. Damages, how appraised.

SECTION 5. That the owners of lands laying adjoining or contiguous to said Little Clearfield creek and its branches, and all other persons desirous to float lumber in, or otherwise use said stream, shall have the right to do so upon such terms, not exceeding the rates fixed per mile for tolls under the act regulating turnpike, bridges and plank road companies, approved the twenty-sixth day of January, one thousand eight hundred forty-nine, and under such rules and regulations as the said company may fix and establish, notice of which terms and regulations to be published in the newspapers of Clearfield county, for four weeks prior to the first day of March in each year. Tolls.
Notice to be published.

E. B. CHASE,
Speaker of the House of Representatives.

M. McCASLIN,
Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 633.

AN ACT

To incorporate the Watsontown Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That John Watson, E. L. Piper and Curry Watson, of Northumberland county; Robert Candor, Jonas Fisher, Joseph P. Hogue, Henry High, Daniel B. Coffman and L. L. Beck, of Union county; Charles Guydakunst, of Lycoming county, and Anthony Kleckner, James Culbertson, George Little, Samuel Brady and William Fearon, Jr., of Clinton county, be and they are hereby created commissioners, authorized to receive subscriptions to the capital stock hereby created, at such times and places as a majority of them may direct, previously giving at least three weeks' notice thereof, in one paper printed in Northumberland and one paper printed in Union county, of the time and place when and where the subscriptions will be received; and at the time of subscribing for said stock, two dollars on each and every Commissioners.
Subscriptions

share subscribed shall be paid to the commissioners, or some one of them, which money shall be paid over to the treasurer of said company, as soon as one shall be appointed, and the residue of said subscriptions shall be paid in such instalments, and at such times and places, and to such persons, as the president and managers of the company may direct.

Style

Privileges.

SECTION 2. That when one hundred shares shall have been subscribed, the persons holding the same are hereby created and incorporated into a company, by the name and title of the Watson town bridge company, and by that name those who have subscribed, and those that may hereafter subscribe, shall have perpetual succession, with all the privileges and franchises incident to a corporation, and shall be capable of taking and holding their capital stock, and the increase and profits thereof, and of enlarging the same from time to time, by new subscriptions, in such manner and form as they shall think proper, if such enlargement shall be found necessary to build the bridge, or fulfil the intent of this act, and of purchasing and holding to them and their successors, in fee simple or otherwise, any real or personal estate that may be deemed necessary, and the same to sell and dispose of at their pleasure, and of suing and being sued, pleading and being impleaded in all courts of justice.

Capital stock.

SECTION 3. That the capital stock of said company shall not exceed forty thousand dollars, and shall be divided into shares of twenty-five dollars each, and the subscribers to said capital stock shall pay the sum or sums of money for the shares by them held respectively, or by them subscribed, at such period, and in such instalments as the directors of said company may order and determine.

Organization.

SECTION 4. That as soon as one hundred shares of the said capital stock shall have been subscribed, it shall be the duty of the commissioners to give notice in one paper in Northumberland county and one paper in Union county, of the time and place of meeting of the stockholders, who shall at such meeting proceed to organize the said company, and shall choose by ballot, in person or by proxy, one president, five directors, one treasurer and such other officers as they shall deem necessary to conduct the business of said company until other officers shall be appointed; and the said president and directors shall make such by-laws and regulations for the government of said company as they shall think necessary and proper, consistent with the laws of this commonwealth, for the well ordering of the affairs of said company, and fixing upon the site or location of said bridge; and each stockholder shall be entitled to one vote for each share of stock by him or her held at the time of such election: *Provided*, That no stockholders shall have more than thirty votes; and the stockholders shall meet on the first Monday in January in every year, at such place as shall be fixed on by the president and directors, for the purpose of electing officers for the ensuing year.

Officers.

By laws.

Proviso.

Certificates of stock.

SECTION 5. That the president and directors first chosen shall issue certificates of stock to the several stockholders, signed by the president and countersigned by the treasurer of said company, which certificates shall be transferable at the pleasure of the holder, in person or by attorney, subject to the payment of any balance that may be due thereon; and the assignee holding such certificate, having caused the assignment to be entered in a book of the company to be kept by the treasurer for that pur-

pose, shall be entitled to his or her just proportion of the capital stock and of all the estate and emoluments of the company, in proportion to the number of shares by them held, and to vote at the meetings thereof as aforesaid; and the president and directors shall meet at such times and places as shall be agreed on for the transaction of business; at such meetings four members shall form a quorum for transacting business; they shall keep minutes of their transactions entered in a book, and shall have authority to agree with and appoint engineers, artists, superintendents and agents as they shall think necessary to conduct and erect a bridge across the West Branch of the Susquehanna river, near White Deer mills, in Union county, and to complete the same, and fix the salaries, and determine the time the stockholders shall pay their instalments due on their respective shares; draw orders on the treasurer for money, the same to be signed by the president or chairman and attested by the clerk; to make and lay down railway tracks on said bridge for the passage of railroad cars and locomotive engines, and to do and transact all things that by this act and the by-laws or regulations of the company may be lawful.

Meetings.

Quorum.

Engineers, &c.

Site.

Payment of stock.

SECTION 6. That it shall be lawful for the president and directors, their superintendents, engineers and workmen, to enter on lands and enclosures, near the place where the bridge is to be built, and to dig gravel, quarry stone or gather sand necessary for building said bridge; also, to enter thereon with wagons, carts, sleighs or beasts of burden or draft, and take and carry off any material necessary in the construction of said bridge, doing as little damage as possible, and making amends for any damage that may be done, which damage, if the parties cannot agree, shall be submitted to the decision of three disinterested freeholders chosen by the parties, and if the parties cannot agree on the men, or if either party, on due notice, shall neglect or refuse to join in the choice, then said freeholders shall, on application, be appointed by any justice of the peace within the proper county, not interested, who, after being sworn or affirmed, shall assess or appraise the damage and make report thereof to the justice of the peace who appointed them; and the said directors, or other persons by them employed, after the tender of the appraised value, may enter, dig, quarry and carry off any material necessary in the building or repairing said bridge: *Provided*, That said company shall not have power to enter upon any lands, or take or use any private property, without first making compensation to the owner or owners thereof, or giving adequate security thereof.

Materials, how obtained.

Damages, how assessed.

Provide.

SECTION 7. That the president and directors of the said company shall keep just and fair accounts of all the moneys received by them in any way, under the provisions of this act, and also of all moneys by them expended, and all voluntary contributions to said company, and shall at least once a year or whenever called on, submit their accounts to the inspection of any or all the stockholders.

Accounts to be kept.

SECTION 8. That when a good and complete bridge shall have been erected over the said West Branch of the Susquehanna, at the place aforesaid, the company, their successors or assigns may demand and receive toll from travelers and others crossing the same, not exceeding the following rates, namely: For every score of sheep or swine, thirty cents; for every score of horned or muly cattle, sixty cents; for every horse or mule driven or

Tolls.

led, six cents; for every horse or mule laden or unladen with rider, ten cents; for every chair, chaise or sulky with two wheels and one horse, fifteen cents, the same with two horses, twenty cents; for every dearborn wagon with one horse, fifteen cents; for every chaise, coach, phaeton, chair, stage, wagon, coachee or light wagon with four wheels and two horses, twenty-five cents; for either of the last named carriages or vehicles with four horses, fifty cents; for every other carriage of pleasure or burthen such rate of toll as the president and directors may agree upon; for every foot passenger crossing the bridge, three cents, and they shall cause to be put and kept up in some conspicuous place at the gates of said bridge, a list of the rates of toll: *And provided*, That the bridge shall be so constructed so as not to injure or obstruct in any manner, the navigation of the Susquehanna river.

Penalty for injury to bridge.

SECTION 9. That if any person shall wilfully cut, destroy, break or remove from off said bridge or any part thereof, any piece of timber, stone, plank, chainbolt or any materials whatsoever belonging to said bridge, or otherwise wilfully or maliciously damage the same, he, she or they so offending, shall forfeit and pay for every such offence over and above the damage done to said bridge, the sum of twenty dollars, to be recovered with costs in any court having competent jurisdiction.

Account of tolls received.

SECTION 10. That the said president and directors shall keep just and true accounts of all tolls received by their respective collectors of tolls, for crossing said bridge, and shall make and declare a dividend of the profits and income thereof, among all the stockholders of said company, in proportion to the shares respectively held by each, deducting therefrom all contingent costs and charges, and such proportions of said income as may by them be deemed necessary for a contingent fund, for repairing or re-building said bridge, and shall on the first Monday January, in each year, publish the dividends so made of the clear profits thereof among the stockholders, and shall give notice of the time and place, when and where the same shall be paid, and shall cause the same to be paid accordingly: *Provided*, That no dividends shall be declared until all the expenses of building and constructing said bridge shall be fully paid.

Dividends

Provided.

Tolls may be altered

SECTION 11. That the legislature shall have power to alter the rates of toll fixed by this act, and the directors may lessen the same whenever they shall deem it necessary for the well-being of the company or the community at large.

Commencement and completion.

SECTION 12. That if the company hereby incorporated shall not commence said bridge within three years, and complete the same within five years, from the passage of this act, then the charter shall be null and void, except so far as to compel the said company to make reparations for damages.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 634.

AN ACT

To incorporate the Roxborough Lyceum, in the county of Philadelphia, and for other purposes.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the members of the Roxborough lyceum, in Philadelphia county, and all persons who may hereafter become members thereof, are hereby created into a body politic and corporate, in deed and in law, by the name, style and title of the Roxborough lyceum. Style.

SECTION 2. That the said corporation, by that name shall have and enjoy perpetual succession, and be able to sue and be sued, plead and be impleaded in all courts of law and elsewhere, and shall be able and capable in law and equity, to take, purchase, hold and receive, to them and their successors, for the use of the said lyceum, lands, tenements, goods, chattels, sum or sums of money, by gift, grant, bargain and sale, will, devise or bequest from any person or persons whatsoever, and the same to grant, bargain, sell, mortgage, improve, or dispose of, for the use and benefit of the said lyceum, and in general to do all things which may be lawful and necessary for the well being and proper management of the said corporation: *Provided*, That the real estate of which the said corporation shall at any time be possessed, shall not exceed the clear yearly value or income of five thousand dollars. Powers.

SECTION 3. That the said corporation shall have power to make and use a common and corporate seal, and make such by-laws, rules and regulations as shall be necessary for the government and the promotion of the interests of the said lyceum: *Provided*, That no by-law, rule, or regulation shall be contrary to the constitution of this state or of the United States. Privileges.

SECTION 4. That the officers of the corporation shall be such as that body may deem necessary; and they shall be elected at such times and places, and in such way and manner as the rules and by-laws of the said corporation may direct. Proviso.

SECTION 5. That the said corporation shall be governed by a board of trustees, consisting of nine persons, who shall be annually elected on the first Tuesday evening in the month of January in each and every year hereafter, who shall hold their offices for one year, or until their successors are duly chosen, and until an election is held the following gentlemen shall form the board of trustees, to wit: Joseph H. Hoffman, Nathan L. Jones, Charles E. Graeff, Robert M. Carlisle, Anthony D. Levering, Horatio G. Jones, junior, D. Rodney King, B. Wistar Morris and Alfred Crease. Officers.

SECTION 6. That section third of the act of assembly, passed the seventeenth day of April, Anno Domini one thousand eight hundred and forty-six, entitled "An Act authorizing the school directors of Mahoning township, in the county of Columbia, to sell certain real estate, and for other purposes," be and the same is hereby repealed. Trustees.

Trustees of ly-
ceum to act as
trustees of acade-
my

SECTION 7. That from and after the passage of this act the board of trustees of the Roxborough lyceum, be and the same are hereby authorized and empowered to act as trustees of the Roxborough academy or school, situate on the Ridge turnpike road, between the six and seven mile stones, in Roxborough township, Philadelphia county; and that they shall have full authority to receive and take all books, deeds and papers relating to the said Roxborough school house or academy, and to take charge of all moneys which the former trustees may have received for the use or rent of the said school house.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 635.

A N A C T

To incorporate the Bedford Mineral Springs Association.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met. and it is hereby enacted by the authority of the same,* That Alexander King, William P. Schell, Espy L. Anderson, John H. Shoenberger, Wilson M'Candless, Job Mann, Daniel Washbaugh, John Cessna, John M'Canles, Henry K. Strong, Samuel Davis, William T. Daugherty, William H. Watson and Nicholas Lyons, or any three or more of them, be and they are hereby appointed commissioners to do and perform the following duties, that is to say: they shall, at such time or times, place or places, and upon such notice as they may deem expedient, open books for the purpose of receiving subscriptions to the capital stock of the association incorporated by this act; and they may adjourn from time to time, and to such places as they may deem proper, until the whole amount of stock authorized by this act shall be subscribed; and if the whole amount of said stock shall not have been taken before the organization of said association, it shall be lawful for the president and directors, for the time being, to receive such subscriptions of stock until the whole amount thereof shall be taken; that the stockholders in said corporation shall be liable, in their individual capacity and estates, to the amount of the balance due and unpaid by any one of the said stockholders on the stock so subscribed by them, or each of them, for all debts created and liabilities incurred by the said corporation.

Corporators.

Their duties.

SECTION 2. That the capital stock of said association shall be four hundred thousand dollars, in shares of one hundred dollars each, certificates whereof shall be issued to the subscribers for the number of shares by them respectively subscribed, signed by the president, countersigned by the secretary, and sealed with the common seal of said corporation, which stock shall be transferable, in person or by attorney, executors, administrators, guardians or trustees, under such regulations and restrictions as may be provided by the by-laws. Capital stock.

SECTION 3. That when twenty per centum on said capital stock shall have been subscribed, and five dollars on each and every share thereof shall have been paid, the commissioners aforesaid, or such of them as shall have acted, shall certify to the governor, under their hands and seals, the names of the subscribers, the number of shares subscribed by each, and that five dollars on each share have been paid; whereupon the governor shall, by letters patent under his hand and the seal of the commonwealth, create and constitute the said subscribers, and those that may thereafter be associated with them, their successors and assigns, into a body politic and corporate, in deed and in law, by the name, style and title of the Bedford Mineral Springs association, and by that name to have perpetual succession, with all the privileges, franchises and immunities incident to a corporation, and may sue and be sued, implead and be impleaded, complain and defend in all courts of law and equity, of record or otherwise; may make, have and use a common seal, and the same may alter and amend at pleasure; may ordain such by-laws, ordinances and regulations as may be necessary and convenient for the proper government of said corporation, the same not being contrary to the constitution and laws of the United States and this commonwealth, and generally may do all and singular the matters and things necessary for the well being and due management of said corporation; and also, as such, shall have power to purchase the watering place, known as the Bedford Springs, and the lands thereto belonging, and make such improvements to and upon the same as to said corporation may seem expedient and proper. Letters patent
Style.

SECTION 4. That as soon as conveniently may be after the said letters patent shall be obtained, the said commissioners who may have assumed the duties mentioned in this act, or any three of them, shall appoint a time and place for the subscribers to meet for the purpose of organizing the association, giving at least three weeks' notice thereof in at least one paper published in the borough of Bedford, one paper published in the city of Philadelphia, and one paper published in the city of Pittsburg; and the subscribers when met, at the time and place so appointed, shall elect, by a majority of the votes given, in person or by proxy, a president and six directors, who shall manage the affairs and business of the association until the first Monday of July then next ensuing, and until other chosen: *Provided*, That no person shall be eligible to the office of president or director who does not own at least five shares of stock: *And provided further*, That in case of the resignation or death of the president or any director, the remaining directors shall, by a majority of the whole board, supply the vacancy until the next annual election. Organization
Provide
Provide.

SECTION 5. That the president and directors of said association, for the time being, are hereby authorized and empowered President and directors.

Quorum.

Secretary and
treasurer.

Official bonds.

to exercise all the powers granted to the corporation; they shall meet at such times and places as they may deem most convenient for the transaction of their business, and when met four shall be a quorum; the president, if present, shall preside at all meetings, and have the right to vote only in case of a tie; in the absence of the president, the board shall appoint a president *pro tem.*; they shall keep minutes of their proceedings in a suitable book to be provided for that purpose, shall choose a secretary and treasurer, and may appoint and employ all such officers, agents, superintendents, artisans, workmen or other persons as in their opinion may be necessary and proper in the management of the affairs and business of said association, at such times, in such manner, and under such regulations as they may determine; they shall fix the salaries and wages of such officers and persons employed by them, and may require bond with security, in such sums as they may deem proper, of each and any of said officers or other persons by them appointed or employed for the faithful discharge of their duties; they are also authorized to design, determine and contract for any improvements they may deem necessary for the accommodation of visitors or the beauty of the springs, and to lease the property belonging to the corporation to such lessee or lessees, for such term or terms, and at such annual rents as may be determined by the board, and generally may do all such acts, matters and things as by this act and the by-laws of the association they may be authorized to do.

Dividends.

SECTION 6. That dividends of so much of the profits of the company as shall appear advisable to the directors shall be declared and paid to the stockholders, or their representatives, at such times and places as may be provided by the by laws.

Election of officers.

SECTION 7. That the elections for directors shall be conducted as follows, to wit: at the first election, the commissioners who have acted, or any three of them, shall appoint three stockholders, not being candidates, to be judges of the said election and to hold the same; and at every succeeding election the directors, for the time being, shall appoint three stockholders, who shall not be directors nor candidates, for the like purpose; and the persons so appointed by the commissioners or directors shall respectively take and subscribe on oath or affirmation, before any officer competent to administer an oath, well and truly and according to law to conduct such election, to the best of their knowledge and ability; and the said judges shall decide upon the qualification of voters, and when the election is closed shall count the votes and declare who have been elected, and certify the same at the first election to the commissioners who appointed them, and at all subsequent elections to the directors; and if at any time it shall happen that an election of directors shall not be held at the time specified, the corporation shall not for that reason be dissolved, but it shall be lawful to hold such election on any day within three months thereafter, by giving at least ten days' previous notice of the time and place of holding such election, in at least one paper published in the borough of Bedford, and the directors of the preceding year shall in that case continue in office, with all the powers belonging to them as such, until others are elected; each share of stock shall entitle the holder thereof to vote, and each ballot shall have endorsed thereon the number of shares thereby represented; no proxy shall be received, or entitle the holder to vote at any election

or general meeting, unless the same shall bear date and have been duly executed within three months next preceding such election or general meeting.

SECTION 8. That the annual election for president and directors of said association shall be held at such place as may be fixed by the by-laws on the first Monday of July in every year, of which notice shall be given by the secretary at least two weeks previously, in at least one paper published in the borough of Bedford. Annual elections.

SECTION 9. That the stockholders of said association shall have power at any general meeting for the election of president and directors, or any meeting called for the purpose, may alter or amend the by-laws enacted by the board of directors: *Provided*, That notice of the proposed alterations and amendments shall have been given by publication for six weeks previous to said meeting, in at least one paper in the borough of Bedford. By laws. Proviso

SECTION 10. That nothing in this act contained shall be construed to authorize the said association to engage in any banking business. Banking prohibited

SECTION 11. That the legislature reserves the right to alter, revoke or annul the privilege and charter hereby granted, whenever the same shall become injurious to the citizens of this commonwealth; in such manner, however, that no injustice shall be done to the corporation. Reservation

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 636.

A N A C T

To extend the charter of the Manufacturers' and Mechanics' Bank of the city and county of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That the charter of the Manufacturers' and Mechanics' Bank of the city and county of Philadelphia, be and the same is hereby extended and continued for and during the period of fifteen years, from and after the expiration of its charter, subject to the provisions, restrictions and conditions, and with all the rights, privileges and immunities mentioned and contained in the act of the general assembly of this commonwealth, entitled "An

Act regulating banks," passed the sixteenth day of April, Anno Domini one thousand eight hundred and fifty, and the several supplements thereunto.

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 637.

AN ACT

To incorporate the Danville Gas Company, in the County of Montour.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Michael C. Grier, William Jemison, Edward H. Baldy, William H. Magill, Paul Leidy, Smith B. Thompson, George A. Frick, William Henrie, Valentine Best, J. C. Van Allen and Aaron Comly, and all others who may associate with them, are hereby made and constituted a body politic and corporate, by the name, style and title of the "Danville gas company," and by the same name they and their successors shall have perpetual succession, and have and enjoy all the privileges and powers, and be subject to all the regulations, limitations and restrictions of an act to incorporate the Easton gas company, passed the fourteenth day of March, one thousand eight hundred and fifty; and all and every of the sections and provisions of said act shall be applicable to the company hereby incorporated, as fully and amply as if the same were incorporated in this act, except the names of corporators, and that the word Danville be substituted in all cases for the word Easton, in said act: *Provided, That* the first meeting and organization of the company hereby created, prior to the first Monday of May, Anno Domini one thousand eight hundred and fifty-five, shall be at such times and places as a majority of the corporators above named shall determine.

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The eighth day of May, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 638.

AN ACT

To extend the charter of the Bank of Penn Township, in the county of Philadelphia

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the charter of the Bank of Penn Township, in the county of Philadelphia, be and the same is hereby continued and extended for the period of fifteen years from and after the expiration of its present charter, subject to all the provisions, limitations, restrictions and privileges of the act of assembly, entitled "An Act regulating banks," approved the sixteenth day of April, Anno Domini one thousand eight hundred and fifty.*

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The ninth day of May, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 639.

AN ACT

To incorporate the Keystone Zinc Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Charles Wister, Daniel Deal, Joshua L. Price and Peter Mason, *Corporators.* and their associates, successors and assigns, be and they are hereby incorporated a body politic and corporate, in fact and in law, by the name of the Keystone zinc company, for the pur- *Style.* pose of mining zinc ore, and manufacturing and vending zinc paint in the counties of Lehigh and Northampton; and by that name may have succession, and be capable of suing and being *Privileges* sued, may have a common seal, and the same alter at pleasure; and may enjoy all the privileges incident to mining and manufacturing corporations; and may purchase, hold and convey

Provide

any real and personal estate that may be necessary to enable said company to carry on the said business in the counties aforesaid: *Provided*, That no more than two thousand acres of land shall be held at any one time by said company.

Meeting of corporators.

SECTION 2. That the first meeting of the members of the said corporation may be called by a majority of the corporators named in this act, at such time and place in the city of Philadelphia, or borough of Allentown, as may be agreed upon by such majority, and at such meeting, and at all other meetings legally notified, said corporators may make, alter and repeal such by-laws and regulations for the management of the business of the said corporation, as a majority of the stockholders may direct, not repugnant to the laws of this state and of the United States.

Stock

SECTION 3. That the said corporation may divide the original stock into one hundred thousand shares of five dollars each, with the right to increase the amount of stock to two hundred thousand shares of five dollars each, and provide for the sale and transfer thereof, in such manner and form as said corporation shall from time to time deem expedient: *Provided*, That the said company shall pay to the state treasurer for the use of the commonwealth, a tax one-half of one per centum on the capital stock paid in, in four equal annual instalments, commencing within one year after the passage of this act.

Provide

Officers

SECTION 4. That the affairs of the said company shall be managed by five directors, (to be chosen from the stockholders,) one of whom shall be selected as president, and any three of whom shall be a quorum to transact business; the directors and president shall be elected for one year, and shall continue until their successors are legally chosen; it shall be their duty to have regular books of record and transfer kept by the secretary or treasurer, at all times open to the inspection of the stockholders.

Quorum

Liability of stockholders

SECTION 5. That the stockholders in the said corporation, whether holding the certificates of stock in their own names or being beneficially interested therein, shall be jointly and severally liable in their individual capacities and estates, for all the debts and contracts or other liabilities made and incurred by said corporation in their mining and manufacturing operations aforesaid, during the time they own their stock respectively, or are beneficially interested therein.

Limitation of charter.

SECTION 6. That the corporate privileges hereby granted shall continue for thirty years and no longer.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

We certify that the bill, entitled "An Act to incorporate the Keystone zinc company," was presented to the governor on the twenty-second of April, one thousand eight hundred fifty-four, and was not returned within ten days (Sundays excepted) after it had been presented to him; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed it.

THOMAS A. MAGUIRE,

Clerk of the Senate.

W. JACK,

Clerk of the House of Representatives.

HARRISBURG, May 9, 1854.

No. 640.

AN ACT

To incorporate the Black Creek Improvement Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Henry Seybert, Howard Spencer, George H. Thompson, John I. Newbold, Edward Gratz, Thomas Allibone, and their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name, style and title of the Black Creek improvement company, and as such shall have power to take and hold land and real estate in fee simple, or for any less estate, in the townships of Sugar Loaf, Black Creek, Hazel and Butler, in the county of Luzerne; and the business and purpose of the said company shall be the proving and opening the veins of coal and other minerals on or in their land, constructing and erecting schutes, breakers, screens, and fitting and preparing the said veins of coal and other minerals to be worked and leased, and the making and constructing of railroads over and upon their land; and the said company may, from time to time, make leases of the said veins of coal and other minerals which may be found in the land belonging to the said company; and the said company, by the said name, is hereby declared and made capable in law to sue and be sued, plead and be impleaded, to have a common seal, to hold and convey such real and personal estate and property as may be necessary to promote the objects of this incorporation, and to all things necessary to promote the objects and designs of the same, according to the true intent and meaning thereof; and the said company shall have all the rights, powers and privileges, and be subject to all the restrictions, provisos and liabilities conferred and imposed upon the Swatara company, by the second, third and fourth sections of the act incorporating the same, approved the sixth day of March, one thousand eight hundred and forty-nine: *Provided*, That the said company shall elect seven directors for the management of the affairs thereof, and fifteen days' notice of the said election shall be given in one newspaper published in the county of Luzerne, and one published in the city of Philadelphia: *And provided also*, That the quantity of land held by said company shall not exceed two thousand acres of land: *And provided further*, That said company shall pay into the state treasury, for the use of the commonwealth, one-half of one per centum upon the capital stock issued by said company; one-fourth upon the first day of January, one thousand eight hundred and fifty-five, and the balance in three equal annual instalments.

SECTION 2. That the capital stock of said company shall consist of fifty thousand shares, of ten dollars each, and the stockholders shall be liable in their individual capacities for all the debts and liabilities thereof contracted for labor done or materials furnished for the use of the company.

Limitation.

SECTION 3. That this act shall continue in force for twenty years from the time of its passage.

Reservation.

SECTION 4. That the legislature hereby reserves the right to alter, amend or annul the provisions of this act whenever they may deem it expedient so to do: *Provided however*, That no injustice shall be done to the corporators.

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The eleventh day of May, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 641.

AN ACT

To incorporate the Philadelphia Mutual Live Stock Insurance Company.

Commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That Alex. M'Iroy, William King, George Mager, John Schafer, John W. Paul, Samuel Rice, John Philbin, Joseph A. Harvey, Benj. R. Miller, William S. Quain, Robert Henderson, Frederick A. Showers, George Schafer, R. C. Ross, John Kam, Nimrod Wooley, Richard Riddle, Thomas B. M'Cormick, Wm. F. M'Glensey, Robert Kilduff, M. D., Thomas J. Natt, Michael Pray, Anson Steel, William Goodrich, ——— Desilver, Joseph R. Flanigen, Joshua S. Fletcher, Edward Wartman, George Hortor, Samuel G. King, and all others who may hereafter become associated with them, in the manner hereinafter prescribed, shall be and are hereby constituted a body politic and corporate, in deed and in law, by the name, style and title of the Philadelphia mutual live stock insurance company, and by said name shall have perpetual succession; and the office of said company shall be located in the city of Philadelphia, with power to establish agencies in such other places as the directors of said company may deem expedient.

Style.

Officers and their election

SECTION 2. That all the corporate powers of said body shall be exercised by a board of seven directors, and such other officers and agents as they may appoint; and Alexander M'Iroy, William King, Geo. Magee, John Schafer, John Philbin, Joseph A. Harvey and William S. Quain are hereby appointed to serve as directors until the first Monday of November, one thousand eight hundred and fifty-four, or until others are elected in their stead; the directors for the time being shall choose a member of the board to act as president; also, annually appoint their

secretary, treasurer and other officers, as shall be deemed necessary for the proper conduct of the affairs of the corporation ; they shall fix the salaries and fees of officers and agents, limit the amount of insurance, and supply any vacancies which may happen, by death, resignation or otherwise, either in their board or in the officers and agents of the company, and a majority shall constitute a quorum for the transaction of business ; they shall also have power to make such by-laws and regulations as shall be deemed expedient for the governing and managing of said corporation, not inconsistent with the laws of this state or of the United States, and may make and have a common seal, and use and alter the same at pleasure.

SECTION 3. That the annual election of directors shall be held on the first Monday of November of each year, at the office of the company, notice of which shall be given in one or more newspapers published in Philadelphia, at least three weeks previous to the election ; and said election shall be held under the direction of three stockholders, to be appointed by the directors, and shall be conducted by ballot and by a plurality of the stockholders or their proxies, allowing one vote for each share of said stock ; said election may, however, be adjourned from time to time by the directors, as they may see fit ; and in case it so happen that an election of directors shall not be made on the day appointed by this act, said company shall not for that cause be deemed to be dissolved, but said election may be held on any other day which may be agreed upon by the directors of said company. Annual election.

SECTION 4. That the capital stock of said company shall be fifty thousand dollars, which shall be divided into shares of fifty dollars each, and shall be held as a guaranty capital ; it may, however, be increased to one hundred thousand dollars, whenever the same shall be directed by a majority of the stockholders, and there shall be paid into the treasury of said corporation at the time of subscription, by each subscriber to the capital stock, an instalment of three dollars on each share by him, her or them subscribed, and the remainder of said stock shall be paid at such time or times, and on such terms, as shall be determined by the directors of said company. Capital stock.

SECTION 5. That it shall be lawful for said company to insure against the loss of all kinds of cattle, live stock and valuable beasts, arising from death, either by accident, natural causes or diseases of any description whatever, and to make all and every insurance appertaining thereto. Insurance.

SECTION 6. That the rates of insurance shall from time to time be fixed and regulated by the directors of the company, and premium notes therefor may be received from the insured, which shall be paid at such time or times and in such sums as the directors shall from time to time require ; and any person applying for insurance shall pay a cash premium, in addition to the premium note, or a definite sum in money, to be fixed by the directors, in full for said insurance and in lieu of a premium note. Rates of insurance.

SECTION 7. That all policies of insurance, notes, or other contracts that shall be made or entered into by the said corporation, may be either with or without the seal thereof, and shall be subscribed by the president and attested by the secretary ; and being so signed, executed and attested, shall be binding and obligatory upon said corporation, according to their true intent Policies.

and meaning; and all such notes, policies and contracts may be made, signed, executed and attested, without the presence of the board of directors.

Liability of the company.

SECTION 8. That suits at law may be maintained by said corporation against any of its members for the collection of their deposit notes, or any assessment thereon, or for any other cause relating to the business of said corporation; also, suits at law may be prosecuted by any person against said corporation, for losses, if payment is withheld more than one month after the company are duly notified thereof.

Subscriptions for stock

SECTION 9. That at any time within three months after the passage of this act, the persons named in the first section thereof, or any six of them, shall give notice in two or more daily newspapers published in the city of Philadelphia, for at least five days, at the expiration of which time they shall open books, at some convenient place by them designated, for the subscription of the capital stock of said company, and shall keep them open every day, Sundays excepted, between the hours of nine o'clock in the morning and four o'clock in the afternoon, for at least six days, after which it shall be lawful for said commissioners to re-open said books, on any subsequent day, by giving five days' notice of said re-opening, and may keep them open till all the shares of said stock are subscribed for: *Provided*, That no policies shall be issued by said company until two hundred shares of stock are subscribed for.

Proviso

Annual statement and distribution.

SECTION 10. That the officers of said company shall, on the first Monday in January in each year, or as soon thereafter as may be practicable, cause a statement to be made of the affairs of the company; and if, after paying all losses and expenses of the said company, and providing for outstanding risks for the year preceding the same, there remain a surplus, each member shall be entitled to such a proportion of said surplus so declared; the statement so made shall be binding upon all persons entitled to receive certificates, as hereinafter mentioned, for the proportionate share of each member so ascertained; a certificate shall be issued, declaring him or them to be entitled to such a portion of the accumulated capital of the company, such certificate to be construed and governed as hereinafter mentioned; but no certificate shall be redeemed or paid off until the assets of the company amount to fifty thousand dollars; no certificate shall be issued for a less amount than five dollars, or for any fractional part of five dollars. Whenever the accumulated capital shall exceed fifty thousand dollars, the excess may be applied, from year to year thereafter, towards the redemption of each year's certificates, in whole or in part, as may be determined on by the board of trustees: *Provided*, The assets of the company exceed the value of the policies in force, to an amount equal the dividend or certificates to be paid off; but the certificates of a subsequent year are not to be redeemed until those of a preceding year are provided for. The trustees may, at their discretion, declare and pay interest on such certificates, at a rate not exceeding six per cent. per annum.

Proviso.

Liability of stockholders.

SECTION 11. That the stockholders of said company shall in their individual capacity, be liable for all debts and contracts of said corporation to the amount of their several subscriptions held at the time of contracting such indebtedness: *Provided* however, Such individual liability shall not be enforced until

the assets of the company shall have been first proceeded against and exhausted.

SECTION 12. That the capital stock of said company shall be transferable according to the rules and regulations prescribed by the directors; and every subscriber of any share or shares of said stock, who shall neglect to pay the instalments or secure the same, as prescribed by the directors aforesaid, shall forfeit the same to the incorporation, and all payments thereon and all profits that may have accrued thereto: *Provided*, That at least thirty days' notice shall be given to such negligent subscriber or stockholder before the time of such forfeiture. Transfer of stock
Proviso.

SECTION 13. That it shall be lawful for said company to take and hold real estate or securities mortgaged or pledged to said company, to secure the payment of any debt which may be contracted with said company, and take any real estate in payment of any debt previously contracted, and due to said company or which may come to said company by virtue of any judgment, execution or decree at law or in equity, and to hold the same until they can conveniently sell and convert the same into money, and also to invest the capital stock of so much of the surplus profits of said company as they may deem fit, and in such manner as the directors may decide: *Provided however*, Nothing in the foregoing shall be so construed as to confer upon said corporation and banking privileges. Powers and privileges.
Proviso.

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The twenty-second day of May, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 642.

AN ACT

To incorporate the town of Palo Alto, in Schuylkill county, into a borough

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the town of Palo Alto, in the county of Schuylkill, shall be and the same is hereby erected into a borough, which shall be called the borough of Palo Alto, and shall be bounded and limited as follows, to wit: Beginning at a post in the northern line of North Mannheim township, and a corner of the borough of Pottsville; thence along the line of said borough, on or near the towing path of the Schuylkill navigation company's canal, the several courses and distances of said borough line, to the eastern Style.
Boundaries.

end of lock number two of said company's works ; thence along the southern side of the pool of dam number two of said works, to the eastern end of lock number one ; thence on a straight line to the middle of the Schuylkill Valley railroad, where it connects with the Mount Carbon and Port Carbon railroad ; thence along the middle of the said Schuylkill Valley railroad to the eastern line of the borough of Port Carbon ; thence along said eastern line south twenty-three and a quarter degrees east to the southeast corner of said borough ; thence on the same course to the northern line of said North Manheim township, and thence along said line to the place of beginning ; and the inhabitants within the bounds of said territory, shall not hereafter be subject to the jurisdiction of any other borough or township in which it may heretofore have been included.

Subject to general
borough law.

SECTION 2. That the said corporation shall be subject to all the provisions of the act, entitled "An Act regulating boroughs," passed the third day of April, Anno Domini one thousand eight hundred and fifty-one.

Election district.

SECTION 3. That the said borough shall constitute a separate election district, and the elections shall be held at the Palo Alto house, in said borough, and the first election of officers under this charter shall take place on the first Friday of June next, and annually thereafter, at the time of holding of township elections within the said county of Schuylkill.

Election house.

First election.

Vacancies in offi-
ces.

SECTION 4. In case of any vacancy arising in the office of any elective officer of the said borough, by refusal to serve or otherwise, the same shall be filled by a new election, to be ordered by the chief burgess of the said borough, or in the vacancy of his office, by the president *pro tempore* of the council.

Election of officers

SECTION 5. The first election under this charter shall be held by three persons, to be elected by a majority of the legal voters assembled to vote at the time for the opening of the polls.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The twenty-ninth day of May, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 643.

A N A C T

To incorporate the Pennsylvania Steam Towing and Transportation Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George W. Aspinwall, Gideon Scull, Michael Wise, Theodore Birely, James M. Flanagan and such other persons who may hereafter become stockholders, are hereby incorporated into a body politic and corporate, in deed and in law, by the name of the Pennsylvania steam towing and transportation company, and as such shall have full power and authority to procure, purchase construct and equip one or more steam tow-boats, steam or sailing vessels, and other transportation craft, of such burden, power, construction and movement, with such other appurtenances and equipment as may be deemed adequate and proper for the objects and purposes of this association, and the same to employ in the towing of ships, vessels and other craft, or in transportation generally, or of passengers to and from the port of Philadelphia or elsewhere; and the said company shall have all the privileges and immunities belonging to a corporation; may sue and be sued, plead and be impleaded, complain and defend in all courts of law and equity; may purchase, receive, have, hold and enjoy, to them, their successors and assigns, all estate, real, personal and mixed, as may be necessary for the purposes of the company, and the same from time to time may sell, convey, mortgage, grant, alien and dispose of; may make dividends of such portions of their profits as they may deem proper; and also make and have a common seal, the same to alter and renew at pleasure; and also to establish such by-laws or ordinances and regulations as shall appear necessary and convenient for the government of the corporation, and generally may do all and singular the matters and things which to them shall lawfully appertain to do for the well being of the corporation and business of the same: *Provided*, That the real estate held shall not exceed thirty thousand dollars in value at any one time.

SECTION 2. That the capital stock of said corporation shall be two hundred and fifty thousand dollars, and shall be divided into five thousand shares of fifty dollars each, for which certificates shall be issued, and signed by the president and secretary, and sealed with the common seal of the corporation; said stock may be transferred, in person or by attorney, under such regulations as may be prescribed by the by-laws.

SECTION 3. That a president, four directors and a secretary and treasurer shall be elected annually by ballot, on the second Monday in February, by the stockholders, or by their legally appointed attorneys or proxies; and each share of the stock shall entitle the holder thereof to one vote; the first election under this act may be held at any time within sixty days after the passage thereof by the said corporators, or a majority of them, named in the first section of this act, on notice to such

persons as may have become stockholders in the company ; and the board of directors so and hereafter chosen shall appoint such officers and agents as they may deem necessary, and fix the amount of the salaries to the several officers, and shall generally exercise all the powers necessary to promote the interests of the corporation.

SECTION 4. That the legislature hereby reserves the right to alter, amend and repeal this act, and to resume the franchises herein granted, whenever the privileges may be abused ; that the stockholders in said corporation shall be liable, in their individual capacity and estate, for all debts created and liabilities incurred by the said corporation.

E. B. CHASE,

Speaker of the House of Representatives.

M. M'CASLIN,

Speaker of the Senate.

APPROVED—The first day of July, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 644.

A N A C T

To incorporate the Metropolitan Insurance Association of Pennsylvania.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Pierce Butler, Joseph S. Silver, Matthew Newkirk, E. Westcott Baily and John M'Canles, of the city of Philadelphia, and such other persons as may hereafter become associated with them in the manner hereinafter provided, shall be and they are hereby created and declared to be a body politic and corporate, in deed and in law, and shall be known and styled the Metropolitan insurance association of Pennsylvania, and by such name shall have perpetual succession, and be able to sue and be sued, implead and be impleaded in all courts of record or elsewhere, and to have and hold property, real and personal, to have a common seal, and the same to alter, break or renew at pleasure ; and also to ordain, establish and put into execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of said corporation, not contrary to the constitution or laws of the United States or of this commonwealth, and generally to do all and singular the matters which to them it shall lawfully appertain to do for the well-being of the said corporation, and the due management thereof.

SECTION 2. That the capital of said company shall be five hundred thousand dollars, with the privilege of increasing the

Their salaries.

Reservation.

Individual liability.

Corporators.

Style.

Privileges.

Capital stock.

same from time to time to one million of dollars, which said capital shall be divided into shares of fifty dollars each; and said company shall go into operation whenever five dollars on each share of the capital stock of the said company shall have been paid, and the balance of said capital stock shall be paid into said company at such times, and in such instalments as the board of directors shall require.

SECTION 3. That the capital stock of said company shall be called in and paid, at such times and places, and in such proportions and instalments as the president and directors shall require, giving public notice thereof for three successive weeks, in two or more daily newspapers published in the city of Philadelphia; and if any stockholder shall neglect to pay such proportion or instalment at the time and place appointed, he shall, in addition to the proportion or instalment so called for, pay at the rate of one per centum per month for the delay of such payment; and if the same and the additional penalty, or any part thereof, shall remain unpaid for a period of six months, he shall, at the discretion of the directors, forfeit to the use of the company all his right, title and interest in and to every and all share or shares, on account of which such default in payment may be made as aforesaid, or the president and directors may, at their option, cause suit to be brought before any competent tribunal, for the recovery of the amount due on such stock, together with the penalty of one per centum a month as aforesaid; in the event of a forfeiture, the share or shares so forfeited may be so disposed of at the discretion of the president and directors, under such rules and regulations as may be described by the by-laws: *Provided*, That no stockholder shall be entitled to vote at any general or special meeting of the company, on whose share or shares any instalment or arrearages may be due more than ten days previous to said meeting. Payment of stock.
Proviso.

SECTION 4. That the affairs of the company shall be managed by six directors, of whom four shall be a quorum for the transaction of business, who shall be citizens of this commonwealth, and stockholders of said company, holding at least five shares each in their own right, and who shall be elected annually on the first Monday of June, by the stockholders assembled in their general meeting for that purpose; of which meeting public notice shall be given in two or more daily newspapers published in said city, for two successive weeks immediately preceding the holding of the same; and the directors at their first meeting after each election, shall choose one of their number as president; but in case it should happen at any time that an election of directors should not be made pursuant to this act it ought to have been made, the company for that cause shall not be dissolved; and it shall be lawful within forty days thereafter to hold and make an election of directors in such manner as shall be regulated by the by-laws and regulations of said company; and in case of the death, resignation, or removal from office, of any director, his place may be filled for the remainder of the term in such manner as the regulations of the company for that purpose shall direct: *Provided*, That the first election of directors shall be held at a time and place to be appointed by the commissioners before mentioned, they giving notice thereof in the manner aforesaid; and the directors so chosen shall hold their offices until the first Monday in June following, and until new directors shall be chosen; the votes of stockholders for the Officers.
Quorum.
Annual election
Vacancies.
Proviso.

Votes.

election of directors shall be by ballot, and each share in the stock of said company shall entitle the holder to one vote; but no stockholder shall vote at any election for directors unless the share or shares, on which he or she may claim to vote, shall have been standing in his or her name, at least three months previous to such election, and all the instalments due thereon shall have been paid.

Clerks, &c.

Compensation.

By-laws.

Proviso.

SECTION 5. That the president and directors for the time being shall have power to establish and appoint such and so many officers, clerks, agents or agencies, in this state or elsewhere, as shall be by them deemed convenient or necessary for conducting and performing the business of the said company; to fix their compensation, to take bonds from all or any of them, with security conditioned for the faithful execution of their several duties, to make such covenants, contracts and agreements as they may deem proper to ordain, establish and put in execution all such ordinances, regulations and by-laws as may appear necessary for the government, or conducive to the interest of the company, not being contrary to the fundamental articles thereof, to the constitution and laws of the United States, and of this commonwealth, and generally to do, execute and perform all acts, matters and things in relation to the business thereof, which a corporation may or can lawfully do: *Provided*, That all such ordinances, regulations and by-laws as shall be made by the directors may be altered or repealed by a majority of the stockholders at any annual meeting, or at any special meeting, which may be called for that purpose by any ten or more of the stockholders owning two-fifths of the capital stock; of which special meeting at least three weeks' previous public notice shall be given, in two or more daily newspapers published in said city; and a majority of the stockholders may at any annual or special meeting convened as aforesaid, adopt by-laws which shall be binding upon the directors, such by-laws not being contrary to the laws of this state or of the United States.

Insurances.

SECTION 6. That the said company shall have full power and authority to make insurances, and to guarantee against losses by fire, by perpetual policies or otherwise, on such terms and at such rate of premium as may be agreed upon, on any house, tenement, church, manufactory, or other buildings, on machinery, lumber, building or other materials, on vessels on the stocks, and on goods, wares, merchandize, commodities or effects, and on hay, grain and other agricultural products, in barns, stacks, or otherwise, and generally upon all kinds of buildings, goods, wares and merchandize, commodities or effects, together with every species of property, pursuit, or business, in the prosecution of which there is or may be any loss or risk; and in like manner for such rate of premium as may be agreed upon, to insure and guarantee against loss on marine or other risks of whatsoever kind or nature; upon steamboats, ships, vessels, canal boats or other craft, on the ocean or elsewhere; and upon goods, wares and merchandize, commodities or effects of whatsoever kind or nature, shipped or transported, or to be shipped or transported, by water or land, or partly by water and partly by land; likewise, on specie, bullion or money shipped, transported, or remitted, or to be shipped, transported, remitted, delivered or paid, and generally to make, execute and perfect such contracts, bargains, agreements, policies and other

instruments, as shall or may be necessary, and as the nature of the case may require; and every such contract, bargain, agreement, policy, or other instrument, to be made by the said company, shall be in writing or in print, and signed by the president and secretary, or by such other officer or officers as the directors may appoint for that purpose; and it shall be lawful for the said company to obtain re-insurance on any risk against which they may have insured, whenever deemed expedient.

SECTION 7. That it shall and may be lawful for said corporation to loan the funds and money of said company to such person or persons as they may deem expedient, or invest the same in stocks, ground rents, bonds and mortgages, or other securities; and it shall and may be lawful for said corporation, with the means aforesaid, to purchase, receive, have and hold, to them and their successors, lands and tenements, hereditaments, goods and chattels of whatsoever nature, kind or quality, real, personal and mixed, and the same from time to time to sell, demise, grant, alien and dispose of: *Provided*, That the real estate shall only be such as shall be necessary to accommodate the said corporation for the convenient transaction of its business, or which shall be purchased, taken or held to secure the payment of any debt due or money loaned by said corporation, or in which its capital stock shall be from time to time invested: *Provided also*, That the said corporation shall not issue any paper, bill or note of the nature of bank notes, nor exercise any banking privileges.

SECTION 8. That the president and directors of said company shall, on the first Mondays of May and November in each and every year, declare and divide so much of the profits of said company as to them shall appear advisable, first deducting all expenses, and pay the said dividend to the respective stockholders, or their agents duly empowered, in ten days after declaring the same; but the moneys received as premiums upon risks, which remain outstanding and undetermined at the time of declaring such dividends, shall not then be considered as part of the profits of said company or divided as such; and if any loss shall happen, whereby the capital stock of said company shall be lessened, no subsequent dividend shall be made until a sum equal to such diminution shall have been added to the said capital stock; and if the president and directors shall knowingly make a dividend or dividends contrary to the true intent and meaning of the prohibitions herein contained, such of them as shall consent thereto shall, in their individual capacities, be accountable for and pay over to the said company, for the use thereof, as much money as they may so divide and pay more than by this act they are authorized to do; and the president and each director of the said company, in office at the time of making such dividend hereby prohibited, shall be deemed as consenting thereto, unless he or they shall, at the time of making and declaring the same, be absent from the board of directors; or, if present, shall immediately enter his or their protest or protests on the minutes of the board, and also give notice thereof, in two or more newspapers published in said city: *Provided*, That any member of the corporation may nevertheless become assured thereby in the same manner and with the same effect as if such member had no interest in the corporation: *And provided further*, That if the said company should fail at any time to meet its engagements, each person holding stock at the time of such failure shall be liable, in his individual

Investment of funds.

Proviso.

Proviso.

Dividends.

Proviso.

Proviso.

capacity, for the debts of said company, to the amount of the balance unpaid on the stock so by him held.

Transfer of stock.

SECTION 9. That the stock of said company shall be transferable on the books of the company only, according to such rules and regulations as may be prescribed by the by-laws.

Reservation.

SECTION 10. That if at any time it shall appear to the legislature that the said company has abused or misused any of the privileges hereby granted, the power to repeal this act shall in nowise be denied or impaired, but such repeal shall in nowise affect the engagements to which said company may have become a party previously thereto, nor shall it be done in such manner as to do injustice to the corporators.

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The sixth day of July, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 645.

AN ACT

Relating to the authentication of Letters of Attorney, Protests of Notaries Public, and Assignments made out of the State, and to the Acknowledgment of Deeds.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That all letters of attorney authorizing contracts to be made, the adjustment of accounts, the sale of stocks and personal estate, the receipt of moneys, or the discharge and acquittance of legacies, or distributive shares, when executed, proved or acknowledged in other states or foreign countries, by any person, or husband and wife, in manner authorized to allow letters of attorney for the conveyance of real estate to be put on record, or if proved or acknowledged in like manner before any minister, consul or vice consul of the United States, or officer thereof exercising ministerial or consular functions, or before a notary public in foreign countries, and duly certified under his official seal, may be placed of record in the recorder of deed's office, in any county where the powers conferred by such letters are intended to be exercised and receivable in evidence in courts of justice, as also the exemplifications from the record thereof, when the originals shall have been lost.

SECTION 2. That the official acts, protests and attestations of all notaries public, certified according to law, under their respective hands and seals of office, in respect to the dishonor of

all bills and promissory notes, and of notice to the drawers, acceptors or endorsers thereof, may be received and read in evidence as proof of the facts therein stated, in all suits now pending or hereafter to be brought: *Provided*, That any party may be permitted to contradict, by other evidence, any such certificate.

SECTION 3. That any and every grant, bargain and sale, release or other deed of conveyance or assurance of any lands, tenements or hereditaments in this commonwealth, and any power or powers of attorney to make and execute such sale, conveyance, mortgage or transfer of any lands, tenements or hereditaments in this commonwealth, made and executed in any of the United States, may be recorded in the county in which such lands, tenements or hereditaments are situated, if the acknowledgment thereof be taken in due form before any officer or magistrate of the state wherein such deed, et cetera, is executed, authorized by the laws of said state to take the acknowledgment of deeds or other instruments of writing therein; and the proof of such authority shall be the certificate of the clerk or prothonotary of any court of record in such state, that the officer or magistrate so taking such acknowledgment, is duly qualified by law to take the same.

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

APPROVED—The fourteenth day of December, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

APPENDIX—1853.

No. 646.

AN ACT

To annul the marriage contract between Nathan B. Bebee and Emma, his wife.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the marriage contract entered into between Nathan B. Bebee, of the county of Potter, and Emma, his wife, be and the same is hereby declared null and void, and the parties discharged from all the obligations and liabilities growing out of the same, as fully and absolutely as if they had never been joined in marriage.

W. P. SCHELL,

Speaker of the House of Representatives.

THO. CARSON,

Speaker of the Senate.

APPROVED—The twentieth day of April, Anno Domini one thousand eight hundred and fifty-three.

WM. BIGLER.

No. 647.

AN ACT

To incorporate the Bingham Mining and Lumbering Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* Harry Connelly, D. K. Jackman, Allison White, James Mehaffey and J. W. Quiggle, and their associates, successors and assigns, be and they are hereby constituted a body politic and corporate, by the name, style and title of the Bingham mining

Corporators.

Style.

and lumbering company, for the purpose of mining coal and manufacturing lumber, and for transacting the usual business of companies engaged in the mining, transporting to market and selling of coal, timber and lumber, and other productions of the land they may now or hereafter own in the county of Clinton; and the said corporation, by the said name, is hereby declared and made capable in law to sue and be sued, to plead and be impleaded, to have a common seal, and the same to alter and renew at pleasure, to make and adopt, from time to time, such rules and by-laws, not inconsistent with the constitution and laws of this commonwealth, as they may see proper for the organization, management and transaction of the business of the company; and generally to do and execute, for the well-being of said company, whatever shall lawfully pertain to such companies.

Objects.

Powers.

SECTION 2. That the stockholders in said company, whether holding the stock in their own names or being beneficially interested therein, shall be jointly and severally liable, in their individual capacities, for all debts and contracts made by said company, for all labor done, and for all machinery and other materials furnished for said company in their mining and manufacturing operations aforesaid, contracted or incurred during the time such stockholders respectively own their said stock, or are beneficially interested therein.

Liability for debts

SECTION 3. That the said company shall have the right to hold, by lease or purchase, two thousand acres of land in Clinton county, and the same, or any part thereof, to sell, lease or convey: *Provided*, That the said company may hold two lots of lands, not exceeding five acres each, as may be found convenient or necessary, as places of deposit, in the transportation and sale of coal, lumber, or other products of their lands.

Powers.

Proviso.

SECTION 4. That the capital stock of said company shall be and consist of five hundred thousand dollars, and shall be divided into twenty thousand shares of twenty-five dollars each, of which the land and mines of the said Harry Connelly, D. K. Jackman, Allison White, James Mehaffey and J. W. Quiggle, shall constitute a part, at such a price as may be agreed upon between them, the said Harry Connelly, D. K. Jackman, Allison White, James Mehaffey and J. W. Quiggle, on the one part, and those who may associate with them and constitute the aforesaid corporation, by subscription for stock payable in money, on the other part; and the president and directors of the said company shall have the power to increase their capital stock, from time to time, to such an amount as may be found convenient and necessary: *Provided*, That the amount of capital stock shall not at any time exceed forty thousand shares or one million of dollars, which capital stock shall only be employed in the holding and purchasing the lands aforesaid, with the improvements thereon, and in constructing such other improvements, railroads, cars, engines and machinery, boats and buildings, as may be necessary or useful for the mining, manufacturing, transporting or sale of coal and lumber, and in the payment of such salaries, wages and other expenditures as shall be requisite for the purposes of the company aforesaid; and said stock shall be considered as personal property, and assignable and transferable according to such rules and by-laws as the board of directors shall establish; and the subscription to the capital stock of said company shall be made at such places and in such manner as

Capital stock.

Proviso.

Proviso.	shall be designated by the said Harry Connelly, D. K. Jackman, Allison White, James Mehaffey and J. W. Quiggle: <i>Provided</i> , That the said company shall pay to the state treasurer, for the use of the commonwealth, a tax of one per centum on the capital stock thereof, in four equal annual instalments, commencing within one year after the passage of this act.
Tax.	
Directors.	SECTION 5. That the affairs of the company shall be managed by five directors, (to be chosen from the stockholders,) one of whom shall be selected as president, and any three of whom shall be a quorum to transact business; the directors and president shall be elected for one year, and shall continue until their successors are legally chosen.
Payment of stock.	SECTION 6. That the directors may, from time to time, call in such instalments on the stock subscribed, not exceeding twenty per cent., on giving thirty days' notice in the papers of Clinton county, and if the stock be subscribed in New York or Philadelphia, then the same notice in one daily paper in the said cities, and if any subscriber shall fail to pay the same within thirty days of the time designated, the directors may declare the subscription forfeited to the use of the company.
Further powers and liabilities.	SECTION 7. That the corporation hereby authorized shall have power to construct a railroad with one or more tracks, from any point on their land, so as to connect their mines with the West Branch canal, the West Branch of the Susquehanna river or with any railroad authorized, or hereafter to be authorized along said river, at such place as they may deem most convenient, in the county of Clinton; the railroad to be constructed in accordance with an act regulating railroad companies, approved the twentieth day of February, Anno Domini one thousand eight hundred and forty-nine.
Borrow money.	SECTION 8. That the said company shall have authority to borrow any sum or sums of money, not exceeding two hundred thousand dollars, on bonds secured by the mortgage of the whole or any part of the property or road belonging to the company, and the corporate privilege thereto belonging, upon such interest as shall be agreed upon; and the said company are authorized to sell and dispose of the said bonds within or beyond this commonwealth, at such rates above or below par as may be agreed upon between the parties, and such sale shall be as valid as if sold at par: <i>Provided</i> , That no bond shall be issued by said company for a less sum than one hundred dollars.
Mortgage road, &c.	
Proviso.	
Reservation.	SECTION 9. That the legislature reserve the right to repeal, alter or annul the charter hereby granted, at any time the company shall misuse or abuse the privileges: <i>Provided</i> , No injustice be done to the corporators.
Commencement, and completion of road.	SECTION 10. That if the company hereby authorized do not commence the construction of their railroad within three years, and finish the same in five years thereafter, this act shall be void, except for the purpose of settling the affairs of the company.
Annual reports.	SECTION 11. That said company shall make an annual report to the auditor general verified by the oath or affirmation of the president, secretary or treasurer thereof, in the month of December, stating explicitly and accurately the names of all stockholders of said company, the whole amount of capital stock thereof, the amount or proportion of the capital stock paid in, and of capital invested, the number of acres of land held by the

company and where situate, and the amount of coal mined and of lumber manufactured during the previous year.

W. P. SCHELL,

Speaker of the House of Representatives.

THO. CARSON,

Speaker of the Senate.

We do certify that the bill, entitled "An Act to incorporate the Bingham mining and lumbering company" was presented to the governor on the twenty-second of March, eighteen hundred and fifty-three, and was not returned within ten days (Sundays excepted) after it was presented to him ; wherefore it has, agreeably to the constitution of this commonwealth, become a law in like manner as if he had signed the same.

WM. JACK,

Clerk of the House of Representatives.

JOHN M. SULLIVAN,

Clerk of the Senate.

April 20, A. D., 1853.

APPENDIX—1852.

No. 648.

AN ACT

To incorporate the Shifler Hose Company in the district of Southwark, county of Philadelphia.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That*

Who shall be corporators.

Style.

Privileges.

Hold land, &c.

Proviso

Seal.

By-laws.

Proviso.

Restrictions.

all and every the persons that shall, at the time of passing this act, be members of the association called the Shifler fire hose company, of the district of Southwark, in the county of Philadelphia, shall be and they are hereby erected and declared to be one body politic and corporate, by the name, style and title of the Shifler fire hose company of the district of Southwark, and by the same shall have perpetual succession, and shall be able to sue and be sued, implead and be impleaded in all courts of record or elsewhere; and also the said corporation and their successors, at all times hereafter, be able to purchase, receive, have, hold and enjoy, to them and their successors, all and all manner of lands, tenements, rents, annuities, liberties, franchises and other hereditaments, goods and chattels of whatsoever nature, kind or quality soever, real, personal or mixed, or choses in action, and the same from time to time sell, alien, grant, demise and dispose of: *Provided*, That the clear yearly value and income of the said corporation shall not exceed two thousand five hundred dollars; and also to make and have a common seal, and the same to break and renew at pleasure, and also to ordain, establish and put in execution such by-laws, ordinances and regulations as shall appear necessary and convenient for the government of the said corporation, not being contrary to this charter, or the constitution and laws of the United States or of this commonwealth, and generally to do all and singular the matters and things which to them it shall lawfully appertain to do for the well being of the said corporation, and the due management and ordering the affairs thereof: *And provided further*, That said company shall at all times be subject to such rules and regulations for the government of the fire department of the district of Southwark, as are now or may hereafter be enacted by the corporate authorities of said district.

SECTION 2. That nothing in this act contained, shall be deemed to authorize the said company to engage, either directly or indirectly, in any banking, moneyed, commercial or manufacturing concern, or to act in any other way than as a fire company.

SECTION 3. That the legislature reserves the power to alter, Reservation.
revoke or annul the privileges and charter hereby granted, when-
ever in their opinion the same may be injurious to the citizens
of the commonwealth; in such manner, however, that no injus-
tice shall be done to the corporators.

JOHN S. RHEY,
Speaker of the House of Representatives.

JOHN H. WALKER,
Speaker of the Senate.

APPROVED—The seventeenth day of March, Anno Domini one
thousand eight hundred and fifty-two.

WM. BIGLER.

No. 649.

A N A C T

To incorporate the Allegheny County Agricultural Society.

SECTION 1. *Be it enacted by the Senate and House of Represen-
tatives of the Commonwealth of Pennsylvania in General Assembly
met, and it is hereby enacted by the authority of the same,* That Corporation.
all such persons who have now associated themselves, or who
may hereafter be admitted members of the Allegheny County
agricultural society, shall be, and are hereby declared to be, a
body politic and corporate, for the term of twenty years from
and after the passage of this act, by the name, style and title Style.
of the Allegheny County agricultural society, to have succes-
sion, to plead and be impleaded, sue and be sued in all courts
of record and elsewhere, and be capable to take and enjoy Privileges.
lands, tenements, hereditaments, goods, chattels, and the same
from time to time to sell, grant, alien and dispose of, to use a
common seal, and to alter or renew the same at pleasure: *Pro-* Proviso.
vided, That the clear yearly value of the real estate by them
held, shall at no time exceed the sum of two thousand dollars.

SECTION 2. That the officers of the said corporation shall con-
sist of a president and vice president, a secretary, a treasurer Officers.
and such other officers as the said corporation may think neces-
sary, which officers shall be elected annually on the first Thurs-
day of January, due notice thereof to be given by the president,
at least three weeks before the election, in at least two news-
papers in the county.

SECTION 3. That the business of the corporation shall be con-
ducted by a board of twelve managers, to be elected by the Business, how
conducted.
members of the corporation, on the first Thursday of March,
annually, due notice thereof to be given by the president as
provided in the second section; and said board of managers
shall have full power to elect their own officers, to fix the time
and place of their meetings, to regulate the admission of mem-

Proviso. bers, and such other acts as they may deem necessary and proper: *Provided*, That no rule or by-law as aforesaid shall be valid if inconsistent with the constitution and laws of this state or of the United States.

Treasurer to receive and disburse money. SECTION 4. That it shall be the duty of the treasurer to take charge of all moneys or funds in any way belonging to the corporation, and to disburse the same on warrants issued by the board of managers, signed by the president, and countersigned by the secretary of the board, and shall be sufficient vouchers for him on settlement of his accounts, which settlement shall be made annually at the time and in the manner as shall be prescribed by the board.

Present officers to perform duties until the election. SECTION 5. That the present officers of the said society shall continue in their respective offices until an election shall be held under this act and the rules, by-laws and ordinances thereof.

JOHN S. RHEY,

Speaker of the House of Representatives.

JOHN. H. WALKER,

Speaker of the Senate.

APPROVED—The twenty-third day of April, Anno Domini one thousand eight hundred and fifty-two.

WM. BIGLER.

No. 650.

AN ACT

To incorporate the Fayette County Jefferson Township Agricultural and Horticultural Society.

Corporators. SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That David Deyarmon, William G. Patterson, William Elliot, William C. Patterson, David H. Wakefield and others, who have subscribed the constitution lately adopted by a meeting assembled for to improve the condition of agriculture and horticulture, be and they are hereby created a body politic and corporate in law, by the name of the "Fayette County Jefferson Township agricultural and horticultural society," and by that name shall have perpetual succession, and have capacity to sue and be sued, and may have a common seal, which at their pleasure may alter or renew; they may take by gift, grant, devise, bequest or otherwise, lands and tenements, goods and chattels necessary for all the purposes for which the society was instituted: *Provided*, That the annual income therefrom shall not exceed five hundred dollars, independent of annual contributions by members, and the same to convey, let out, apply and dispose of for the benefit of the said society, as they, under their charter and by-laws

Style. Privileges. Proviso.

may direct: *Provided*, That the same shall not be inconsistent with the constitution and laws of this State.

SECTION 2. That this society shall consist of all such persons as are now members, or shall hereafter be admitted as such, agreeable to the by-laws of said society. Membership.

SECTION 3. That the officers of this society shall consist of a president, two vice presidents, a recording and a corresponding secretary, a treasurer and nine managers; the duties of said officers shall be particularly set forth in the by-laws of said society. Officers.

SECTION 4. That the officers shall be chosen by ballot at a general meeting of the society, on the last Wednesday of October in each and every year, at such places as a majority at a preceding meeting may direct, and to continue in office for one year, or until their successors be elected. Election of officers

SECTION 5. That the funds of the society shall be exclusively appropriated to the payment of premiums offered for, and the expenses incurred for the holding of fairs or exhibitions, and defraying the necessary costs attending thereto. Funds, how applied.

JOHN S. RHEY,
Speaker of the House of Representatives.

C. MYERS,
Speaker of the Senate.

APPROVED—The fourth day of May, Anno Domini one thousand eight hundred and fifty-two.

WM. BIGLER.

No. 651.

AN ACT

For the charter of a bank to be located in Warren. Warren county, to be called the Warren County Bank.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That R. S. Orr, Francis Hook, L. F. Watson, C. J. Taylor, Boon Mead, Joseph Camer, C. B. Curtis, J. Y. James, S. P. Johnson, R. P. King, L. D. Wetmore are hereby appointed and they or any six of them, are authorized to carry into effect from and after the passage of this act, the establishment of a bank to be called "The Warren County Bank," to be located in the borough of Warren, in the county of Warren, with a capital of one hundred thousand dollars, to be divided into two thousand shares, of fifty dollars each, and to be organized, managed and governed according to the provisions of the act, entitled "An Warren County Bank established.

Subject to pre-visions of certain act. Act to incorporate the Harrisburg savings institution," approved the fourteenth day of April, one thousand eight hundred and thirty-four, as is not hereby altered, and to be subject to all the provisions and restrictions, and to enjoy all the immunities conferred by said act: *Provided however*, That said savings and deposit bank shall not have authority to issue its own bills or notes intended for a currency: *And provided further*, That the stockholders in the same shall be individually liable for its debts, which liability shall be enforced in the same manner as is provided for enforcing the individual liability of stockholders in banks, by the act of the sixteenth of April, one thousand eight hundred and fifty, entitled "An Act regulating banks."

Proviso.

Publication of notice.

SECTION 2. That in all cases where notice is required to be given by publication in a newspaper, it shall be done by publication, in one or more newspapers in the borough of Warren; and no person shall be deemed a member of said corporation or have a right to vote at any election thereof, except subscribers to the stock of the same, who shall have paid all instalments due thereon, according to the by-laws of said corporation.

JOHN S. RHEY,

Speaker of the House of Representatives.

C. MYERS,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and fifty-two.

WM. BIGLER.

APPENDIX—1851.

No. 652.

AN ACT

To incorporate the Warren and Ridgway Bridge Company.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That Orrin Hook, Richard Dunham, John Gibson, Boon Mead and Charles J. Fox be and they are hereby created commissioners, authorized to receive subscriptions to the capital stock hereby created, at such times and places as a majority of them may direct, previously giving at least three weeks' notice thereof, in one of the newspapers printed in the county of Warren, of the time and place when and where subscriptions will be received; and at the time of subscribing for said stock one dollar on each and every share so subscribed shall be paid to the commissioners, or some of them, by the person or persons so subscribing, which money shall be paid over to the treasurer of the said company, as soon as one shall be appointed, and the residue of said subscription shall be paid in such instalments, and at such times and places, and to such persons as the president and directors of the company may direct.

Commissioners.

SECTION 2. That when fifty shares shall have been subscribed the persons holding the shares are hereby created and incorporated into a company by the name and style of the Warren and Ridgway bridge company, and by that name those who have subscribed, and those that may hereafter subscribe, shall have perpetual succession, with all privileges and franchises incident to a corporation; and shall be capable of taking and holding their capital stock and the increase and profits thereof, and of enlarging the same, from time to time, by new subscriptions, in such manner as they shall think proper, if such enlargement shall be found necessary to fulfil the intent of this act; and of purchasing and holding, to them and their successors, in fee simple, any real or personal estate necessary for the erection of said bridge, and the same to sell and dispose of at their pleasure; and of suing and being sued, pleading and being impleaded in all courts of justice, and of doing all and every other matter or thing which a corporation or body politic may lawfully do.

Style.

Privileges.

SECTION 3. That the capital stock of said company shall be divided into shares of twenty-five dollars for each share, and shall not exceed fifteen thousand dollars; and the subscribers to said capital stock shall pay the sum or sums of money for

Capital stock.

the shares by them held respectively, or by them subscribed, at such periods and in such instalments as the directors of said company may order or determine.

Organization.

Officers.

By-laws.

Votes.

Annual election.

Certificates of stock to be issued

May be transferred.

Meetings.

Quorum.

Minutes.

Appointment of engineers, &c.

Site of bridge.

SECTION 4. That as soon as one hundred shares of the said capital stock shall have been subscribed it shall be the duty of the commissioners to give notice, in one newspaper printed in the county of Warren, of the time and place of meeting of the stockholders, who shall, on meeting, proceed to organize said company, and shall choose by ballot, in person or by proxy, one president, five directors, one treasurer and such other officers as they shall deem necessary to conduct the business of said company until other officers shall be appointed; and the said president and directors shall make such by-laws and regulations for the government of said company as they shall think necessary and proper, consistent with the laws of this commonwealth, for the well ordering of the affairs of said company, and fixing upon the site or location of said bridge; and each stockholder shall be entitled to one vote for each share of stock by him or her held at the time of such election; and the stockholders shall meet on the first Monday in January in every year, at such place as shall be fixed upon by the directors, of which two weeks' notice shall be given, by publication in one newspaper in Warren county, for the purpose of electing officers for the ensuing year.

SECTION 5. That the president and directors first chosen, shall issue certificates of stock to the stockholders, signed by the president and countersigned by the clerk of said company, which certificates shall be transferable at the pleasure of the holder, in person or by attorney, subject to the payment of any balance that may be due thereon; and the assignee holding such certificate, having caused the assignment to be entered in a book of the company to be kept by the clerk for that purpose, shall be entitled to his or her just proportion of the capital stock, and of all the estates and emoluments of the company, in proportion to the number of shares by them held, to vote at the meetings thereof as aforesaid; and the president and directors shall meet at such times and places as shall be agreed on for the transaction of business, at such meetings three directors shall form a quorum for transacting business, they shall keep minutes of their transactions entered in a book, and shall have authority to agree with and appoint engineers, artists, superintendents and agents as they shall think necessary to construct a bridge across the Allegheny river at some convenient place, above and near to the mouth of Glade run, in the county of Warren, and to complete the same, and to determine the time the stockholders shall pay their instalments due on their respective shares, draw orders on the treasury for money, the same to be signed by the president and attested by the clerk, and do and transact all things by this act and the by-laws and regulations of the company that may be lawful.

May enter on private property for materials.

SECTION 6. That it shall be lawful for the president and directors, their superintendents, engineers and workmen, to enter on lands and enclosures near the place where the bridge is to be built, and to cut and carry off any timber, or dig gravel, quarry stone or gather sand necessary for building said bridge; also to enter thereon with wagons, carts, sleighs and beasts of burden or draft, and take and carry off any material necessary for the construction of said bridge, doing as little damage to private

property as possible, and afterwards making amends for any damage that may be done, which damage, if the parties cannot agree, shall be submitted to three disinterested freeholders chosen by the parties, and if the parties cannot agree on the men, or if either party, on due notice, shall neglect or refuse to join in the choice, then said freeholders shall, on application by either or both parties, be appointed by any justice of the peace within the county, not interested, who, after being sworn or affirmed, shall assess or appraise the damage and make report thereof to the justice of the peace who appointed them; and the said directors or other persons by them employed, after the tender of the appraised value to the owner, may enter, chop, dig, quarry and carry off any material necessary in the building or repairing said bridge: *Provided*, That said bridge shall be so constructed as not to interfere with the navigation of the Allegheny river.

Damages to be ascertained and paid.

Proviso.

SECTION 7. That if any stockholder after thirty days' notice given in one newspaper in the county of Warren, of the time and place of paying any instalment which may be called for, shall neglect to pay such instalment for the period of sixty days after the time so appointed, every such stockholder or his assignee, shall, in addition to the instalment so called for, pay at the rate of two per cent. per month for every delay of such payment; and if the same and additional penalties shall remain unpaid for such space of time that the accumulated penalties shall become equal to the sums before paid on account of such shares, the same shall be forfeited to said company, and may be sold to any person or persons, and for such price as can be obtained therefor: *Provided*, That the provisions of this section shall not prevent the said company from bringing suit against any such subscribers of the stock thereof, for said stock or any instalment thereof, together with the aforementioned penalty, after the period of sixty days from the time appointed when the same should be paid as aforesaid.

Stock may be forfeited.

Proviso.

SECTION 8. That the president and directors of said company shall keep just and fair accounts of all moneys received by them in any way under the provisions of this act, and also of all moneys expended by them, and all voluntary contributions to said company, and shall, at least once a year, or whenever called on, submit their accounts to the inspection of any or all the stockholders.

Fair and just accounts to be kept

SECTION 9. That when a good and complete bridge is erected over the said river at the place aforesaid, the said company, their successors or assigns may demand and receive toll from travelers and others crossing the same, at such rates as shall be determined on by the president and directors: *Provided*, In no case shall such toll for one person across said bridge exceed the sum of twenty-five cents: *And provided further*, That a printed list of the rates of toll shall be put and kept up in some conspicuous place at the gates at each end of said bridge: *And provided also*, That any person or persons attending funerals, going to and returning from divine worship on the Sabbath day, all persons going to and returning from elections or military trainings, and students or children attending a school or seminary of learning, shall at all times be exempted from the payment of any toll.

Tolls.

Proviso.

Proviso.

Proviso.

SECTION 10. That if any person shall wilfully cut, destroy or break, or remove from off said bridge or any part thereof, any

Penalty for injury to bridge.

piece of timber, stone, plank, chain bolt, or any materials whatsoever, belonging to said bridge, or otherwise wilfully or maliciously damage the same, he, she or they so offending shall forfeit and pay for every such offence over and above the damage done to said bridge, the sum of twenty dollars, to be sued for and recovered by the said company as debts of like amount are by law recoverable.

Accounts of tolls
and dividends.

SECTION 11. That the president and directors shall keep just and true accounts of all tolls received by their respective collectors of tolls for crossing said bridge, and shall make and declare a dividend of the profits and income thereof among the stockholders of said company, in proportion to the shares respectively held by each, and deducting therefrom all contingent costs and charges, and such proportions of said income as may by them be deemed necessary for a growing fund for repairing or re-building said bridge, and shall, on the first Monday of January in each year, publish the dividends to be made of the clear profits thereof among the stockholders, and of the time and place, when and where the same shall be paid, and shall cause the same to be paid accordingly: *Provided*, That no dividend of profits shall be declared until all expense of building and constructing said bridge shall be fully paid.

Provide

Reservation.

SECTION 12. That the legislature hereby reserves the right to alter, repeal or amend this charter: *Provided*, No injustice be done to the corporators.

JOHN CESSNA,
Speaker of the House of Representatives.

BENJ'N MATTHIAS,
Speaker of the Senate.

APPROVED—The third day of April, Anno Domini one thousand eight hundred and fifty-one:

WM. F. JOHNSTON.

APPENDIX—1850.

No. 653.

A N A C T

To incorporate the Wilkesbarre Cemetery Association.

WHEREAS, The persons hereinafter named, with others, are about to purchase a piece of land in the vicinity of Wilkesbarre, in the county of Luzerne, for the purpose of converting the same into a cemetery; and as they are desirous that they and the persons who may be associated with them, and their successors, may be incorporated for the purpose of establishing and perpetuating such cemetery; therefore,

Preamble.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That George M. Hollenback, Ziba Bennett, John L. Butler, Hendrick B. Wright, Henry M. Fuller, Jonathan J. Slocum, H. W. Nicholson, Thomas W. Miner, Charles Denison, V. L. Maxwell, Henry Pettebone, O. B. Hillard and Robert Porter, with such other persons as they may associate with them, and their successors, be and they are hereby created a body politic and corporate in law, by the name, style and title of the Wilkesbarre cemetery association, and by that name shall have perpetual succession, and be able to sue and be sued in any court of law or equity, and may have and use a common seal, and the same at their pleasure alter and renew, and shall have power to purchase, have, hold and enjoy, to them and their successors, any real estate which they may purchase in the vicinity of Wilkesbarre, for the purpose of establishing said cemetery: *Provided,* That the whole quantity of real estate to be held by them as a corporation, shall not exceed twenty-five acres; and the said corporation shall have authority to receive as gifts or bequests, for the purpose of ornamenting or improving said cemetery, and to hold personal property, such as may be deemed necessary to carry out the object of this act.

Corporators.

Style.

Privileges

Proviso

SECTION 2. That the affairs of said corporation shall be conducted by a president and five managers, who shall be elected by a majority of the votes of the members of the corporation, on the first Monday of June in each and every year; and in case no election shall be held at the time aforesaid, the officers of the preceding year shall continue in office until an election shall be held; the said president and managers shall fill all vacancies which may occur in their own body, and shall have power to lay out and ornament the grounds purchased for said cemetery, to erect such buildings thereon as may be proper and

Affairs of corporation to be conducted by board of managers.

Powers.

necessary for the enjoyment of the same, to lay out, sell and dispose of burial lots, to appoint all necessary officers, and fix their several duties and compensation, and to make such by-laws, rules and regulations as they may deem proper for conducting the affairs of the corporation, for the government of lot-holders and visitors to the cemetery, and for the transfer of lots and the evidence thereof.

Cemetery to be
exempt from tax-
ation.

Proviso.

SECTION 3. That every lot conveyed in said cemetery, shall be held by the proprietor for the purpose of sepulture alone, transferable with the consent of the president and managers, and shall not be subject to attachment or execution, or to taxation, except for state purposes: *Provided*, That said exemption from attachment and execution shall not extend to more than four lots held by any one individual.

Votes

SECTION 4. That as soon as the money received from the sale of lots in said cemetery, shall be sufficient to pay the purchase money expended by the persons hereby incorporated, with interest, and the expenses that shall have been incurred by them in laying out, enclosing and improving the grounds, then each lot-holder shall become a member of the corporation, and have a right to vote for the officers thereof; and at all elections held thereafter under this act, each member of the corporation shall be entitled to one vote and no more: *Provided*, That all the money raised thereafter, from the sale of lots, shall be expended in ornamenting, improving, repairing and maintaining said cemetery: *And provided also*, That until an election shall be held under the provisions of this act, the persons hereby incorporated shall be managers of the corporation.

J. S. M'CALMONT,

Speaker of the House of Representatives.

V. BEST,

Speaker of the Senate.

APPROVED—The twenty-ninth day of January, Anno Domini one thousand eight hundred and fifty.

WM. F. JOHNSTON.

No. 654.

AN ACT

To incorporate the Sinnemahoning and Pittsburg Railroad Company.

Commissioners.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That James L. Gillis, Henry Souther, Alonzo I. Wilcox, Alvin Head, of Elk county; Andrew G. Curtin, of Centre county; John J. Y. Thompson and David S. Daring, of Jefferson county, or any*

three of them, are hereby appointed commissioners to open books, receive subscriptions and organize a company by the name, style and title of the Sinnemahoning and Pittsburg railroad company, with all the powers and subject to all the restrictions prescribed by an act regulating railroad companies, approved the nineteenth day of February, one thousand eight hundred and forty-nine, except so far as they are hereby altered and supplied. Style.
Subject to certain act.

SECTION 2. That the capital stock of said company shall consist of two thousand shares, of fifty dollars each, which said capital stock may be increased, if the exigencies of the company shall require it, to any sum not exceeding two millions of dollars. Capital stock.

SECTION 3. That the said company shall have the right to construct a railroad, with one or more tracks, from some convenient point on the line of the Sunbury and Erie railroad, on the waters of the Sinnemahoning, to Pittsburg, or to such point as they may deem most advantageous, on the line of the Allegheny Valley railroad, within the counties of Jefferson or Armstrong. Route.

SECTION 4. That the said company be and are hereby authorized to borrow money, to any amount not exceeding the capital stock of the company, upon the bonds of said company, whenever the directors shall deem the issue of said bonds expedient: *Provided*, That the rate of interest on said bonds shall not exceed seven per centum per annum, and that no bond shall be issued of a less denomination than one hundred dollars; the said bonds may be made convertible into the stock of the company, and secured by a mortgage upon the rights, privileges and franchises of said company. Borrow money
Proviso.

SECTION 5. That the president and directors of said company are hereby authorized to pay to the stockholders, in the months of January and July of each year, interest at the rate of six per centum per annum, on all instalments paid by them, and to continue to pay the same until the road shall be completed; and all the profits or earnings of said road, within the said time, shall be credited to construction, and all interest paid shall be charged to cost of construction; but no interest shall be paid on any share of stock upon which any instalment that has been called for remains due and unpaid; and the stock of said company shall not be subject to any tax in consequence of the payment of the interest hereby authorized, nor until the net earnings of said company shall amount to at least six per centum upon the capital invested. Payment of interest

E. B. CHASE,
Speaker of the House of Representatives.

M. M'CASLIN,
Speaker of the Senate.

' APPROVED—The thirtieth day of March, Anno Domini one thousand eight hundred and fifty-four.

WM. BIGLER.

No. 655.

AN ACT

Incorporating the Union Church, at Plainfield, in the county of Cumberland, and relative to Elections in Roaring Creek and Madison townships, in Columbia county.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That* the members of the Union church, at Plainfield and vicinity, in the county of Cumberland, are hereby erected into a body politic and corporate, in deed and in law, by the name and style of the Union church, at Plainfield, in the county of Cumberland.

Style.

Powers and privileges.

SECTION 2. That the said corporation, by their name and style, shall have perpetual succession, and be able to sue and be sued, plead and be impleaded in all the courts of law or elsewhere; and shall be able and capable in law and equity to take, purchase, hold and receive, to them and their successors, for the use of said congregation, lands, tenements, goods and chattels, of whatsoever kind, nature or quality, real, personal or mixed, which now are or shall hereafter become the property of said corporation, or be held for their use, by gift, grant, bargain, sale, conveyance, devise, bequest or otherwise, from any person whomsoever capable of making the same, and the same to grant, bargain, sell, mortgage, improve or dispose of for the use and benefit of the said congregation: *Provided*, That the yearly value or income of the said estate shall not, at any time, exceed three thousand dollars, and shall not be used for any other than benevolent or religious purposes.

Proviso.

Trustees and other officers.

SECTION 3. The secular business of the said corporation shall be conducted by three trustees, of whom two shall be a quorum, who may appoint a secretary and treasurer from among themselves, or from among the members of the congregation qualified to vote, according to the sixth section of this act; the secretary shall keep true and correct minutes of the acts and proceedings of the trustees, and the treasurer shall receive, disburse and account for all moneys coming into his hands, belonging to the said corporation, and shall, if required by the trustees, give ample security for the faithful performance of the trust reposed in him, and shall have his accounts annually settled by the trustees, to be laid before and approved by the congregation at the annual election; the said trustees may likewise appoint such other officers as they may, from time to time, deem necessary for the proper management of the secular affairs of the congregation; but no compensation shall be allowed to any of these officers, unless sanctioned by a majority of the members of the congregation present at the annual election; the said trustees, in conjunction with the deacons, shall collect from the members of the congregation their contributions to the pastor's salary, and they shall annually inquire, ascertain and report to the consistory whether any member or members have failed or refused to contribute ratably, according to his, her or their ability, to the pastor's salary, and to the payment of the contingent expenses of the congregation within the previous

Duties.

year, on which report the consistory shall take such action, and make such order, as shall by them be deemed expedient and right, and the decision thus made shall be enforced by them; subject, nevertheless, to an appeal, by the party complained of, to the congregation, at the next subsequent annual election.

SECTION 4. The following named persons shall be trustees until others are or shall be elected as is hereinafter provided, to wit: John Greider, Samuel Greason and Henry Bear, to continue in office until the first day of January, in the year of our Lord, one thousand eight hundred and fifty-one, on which day the male members of the congregation qualified to vote by the sixth section of this act, shall elect three persons to serve as trustees, one of whom shall serve for three years, one for two years and one for one year, the term of service to be designated by the electors on their ballots, and their places respectively shall be filled at the annual election to be held for that purpose, on that day, in every year thereafter, except when it occurs on the Sabbath, and then on the preceding or succeeding day by the election of one person to serve as trustee for three years: *Provided*, Election of trustees.
That in case of a vacancy by death or otherwise, the remaining trustees shall appoint a person to supply the same until the next election: *And provided further*, That no person shall be eligible as a trustee unless he is a citizen of this commonwealth, have attained the age of twenty-one years, and be a member of the Union church, in good standing, and have paid his contribution to the pastor's salary, if any was collected, and towards the discharge of the contingent expenses of the congregation within one year, according to his ability: *And provided further*, That all the acts of the said trustees shall be in conformity to the rules and principles of the Union church at Plainfield, and not in anywise inconsistent with the same. *Provided*.

SECTION 5. If the members of the church neglect on the day of the annual election, to hold their election as is herein directed, the said corporation shall not be dissolved, but the trustees may appoint any subsequent time not exceeding four weeks, at which the election may be held: *Provided*, That in case the trustees shall neglect or refuse to call a meeting for the purpose of holding an election as is directed in this act, then ten members qualified to vote, according to the sixth section of this act, may call a meeting for the purpose of holding such election, by giving two weeks' notice of the time, place and object of such meeting. Failure to elect not to dissolve corporation.

SECTION 6. Any male member of the said Union church duly received by confirmation or certificate, and any male baptized contributing member, who is not a member of any other church, and no other shall be entitled to vote at the meetings or elections of the said congregation: *Provided*, That he shall have discharged all arrearages due from him, and have contributed ratably according to his ability, to the pastor's salary, if any was collected within the year, and toward the discharge of the contingent expenses of the congregation for the preceding year: *And provided further*, That all elections shall be by ballot. Qualification of voters.

SECTION 7. The said trustees and their successors or a majority of them, shall have full power to enact and enforce such by-laws and ordinances as they shall think proper for their own government, and for the regulation and transaction of the business of the said congregation, and to make, use and have a By-laws.

Proviso. common seal, and the same to break, alter and renew at their pleasure: *Provided*, That the said rules, by-laws and ordinances, and all the acts of the said trustees, framed, enacted and promulgated, shall not be contrary to this charter nor to the constitution and laws of this commonwealth or of the United States, and that the said trustees shall regularly submit a report of their acts and proceedings to the congregation at the annual election.

Privileges. SECTION 8. No enumeration of powers, privileges and duties herein contained shall be so construed to exclude others not enumerated, which are necessary to the proper fulfilment of the design and purpose of this act, and not inconsistent with its express provisions and limitations.

Elections in Roaring Creek township, Columbia county. SECTION 9. The qualified electors of that part of Roaring Creek township, lying in Columbia county, shall hereafter hold their general and township elections at the house of Emanuel Karns, in said district, and George Driesback is hereby appointed judge, and Samuel Eck and Alexander Mears as inspectors, to hold the next general and township elections.

Elections in Madison township, Columbia county. SECTION 10. The qualified electors of that part of Madison township, lying in Columbia county, shall hold their next general and township elections at the public school house, near William Swisher's; the citizens present, at the hour for opening the election in October, to choose the officers in the usual way where vacancies exist.

J. S. M'CALMONT,
Speaker of the House of Representatives.

V. BEST,
Speaker of the Senate.

APPROVED—The fifteenth day of May, Anno Domini one thousand eight hundred and fifty.

WM. F. JOHNSTON.

CERTIFICATE.

SECRETARY'S OFFICE, }
HARRISBURG, *May* 31, 1855. }

I CERTIFY, that in obedience to the directions of an act of the General Assembly of the Commonwealth of Pennsylvania, I have collated with, and corrected by the original rolls on file in this office, the proof sheets of the printed copies of this edition of the Laws and Resolutions of the General Assembly, passed during the session ending the 8th day of May, 1855; also an APPENDIX, containing laws passed at the sessions of 1854, 1853, 1852, 1851, 1850, upon which the tax has been paid subsequently to the publication of the Pamphlet Laws of 1854.

A. G. CURTIN,
Secretary of the Commonwealth.



INDEX.

	Page
ABEL, WILLIAM, relief of.....	454
Academies—Beaver, to occupy certain lots.....	517
Bloomfield, sale of authorized.....	586
Grief, trustees of to re-settle account of M. Pollock.....	21
Saeertown, sale of authorized.....	524
Shadyside, supplement to.....	45
—Accounts—Charges on may be made liens.....	586
—Actions—Act regulating, supplement to.....	213
Parties in certain counties.....	783
For injuries producing death.....	69
On premises by executors and administrators.....	368
Adams county—Gettysburg, election of constables in.....	69
Lists of voters in, to be preserved.....	70
State road in, rel. to.....	76
Adams, Richard H., appropriation to.....	506
Adjutant General—Appropriation for.....	495
Keenan, James, late.....	505
Visiting arsenals.....	505
—Admission, visits on premises by.....	308
Agriculture, appropriation to society for promoting.....	445
Agricultural societies—Allegheny county, incorporated.....	731
Jefferson Township, Fayette county, incorporated.....	732
Alburger, William B., appropriation to.....	649
Alderman, Philadelphia, rel. to.....	254
Allegheny bridge, Warren county, sale of.....	229
—Allegheny and New Brighton plank road company, supplement.....	355
Allegheny county—Agricultural society, incorporated.....	731
Commissioners and auditors on, pay increased.....	85
Fines, forfeitures and penalties in, rel. to.....	215
— Game in, preservation of.....	335
Jail, support of prisoners in.....	529
Long lane, to vacate.....	403
Moon township, elections in fixed.....	45
Officers in, certain extension of powers.....	23, 321
Orphan asylum, tax released to.....	44
Overseers of the poor, rel. to.....	78, 243
Paving stones, measurement of.....	293
Public printing in, rel. to.....	384
Sabbath in, observance of.....	321
Subscription by to certain railroads.....	129

	Page
Allegheny Mountain Health institute, incorporated.....	691
Allegheny Portage railroad—Appropriation for completion of.....	71, 503
Motive power in 1854	502
1855	501
Ordinary repairs of	500
Allegheny railroad and coal company, supplement.....	114
Allegheny turnpike and plank road company, incorporated.....	452
Allentown Bank, incorporated.....	544
Altoona, to supply with water.....	409
American Sunday School Union, supplement	143
Andalusia and Hulmville turnpike, rel. to	35
Anderson library, rel. to.....	55
Animals, cruelty to, punished.....	421
Annuities, &c., rel. to.....	369
Anthracite Bank, Tamaqua, incorporated.....	156
Appropriations, general act.....	495
Payment of, regulated.....	504
Able, William.....	434
Adams, Richard H.....	506
Adjutant general.....	495
for visiting arsenals.....	505
Keenan, James, late.....	505
Agriculture, society for promoting.....	445
Alburger, Wm. B.....	649
Allegheny railroad, completion of.....	71, 503
motive power in 1854.....	502
1855.....	501
ordinary repairs.....	500
Attorney general.....	495
Auditor general's and expenses of office	495
Bald Eagle and Spring Creek navigation company.....	499
Bentley, S.....	652
Binding and framing in secretary's office.....	221
Blind, institution for	504
Brady, Joseph.....	342
Brady, Wm. P.....	507
Buechle, Catharine.....	212
Canals and railroads.....	500
Canal bridges.....	501
Canal commissioners and expenses of office.....	501
Canal—Delaware division—	
Collectors and officers on, pay of.....	501
Ordinary repairs.....	500
Repairs in 1853.	502
Eastern division—	
Collectors and officers on, pay of	501
Ordinary repairs.....	500
Repairs in 1854.....	501
Repairs in 1853.....	502
Junction canal company, appropriation to.....	505

	Page
Appropriations, Canal—Lower Juniata division—	
Collectors and officers on, pay of.....	501
Ordinary repairs.....	500
Lower North Branch division—	
Collectors and officers on, pay of.....	501
Ordinary repairs.....	500
Out-let lock on.....	500
Lower Western division—	
Collectors and officers on, pay of.....	501
Ordinary repairs.....	500
Susquehanna division—	
Collectors and officers on, pay of.....	501
Ordinary repairs.....	500
Repairs in 1854.....	502
1853.....	502
Upper Juniata division—	
Collectors and officers on, pay of.....	501
Ordinary repairs.....	500
Repairs in 1854.....	502
Upper North Branch division—	
Collectors and officers on, pay of.....	501
Construction and repair of.....	502
Upper Western division—	
Collectors and officers on, pay of.....	501
Ordinary repairs.....	500
West Branch division—	
Collectors and officers on, pay of.....	501
Ordinary repairs.....	500
Repairs in 1853.....	502
Capitol, repairs of.....	498
Clerk hire in departments.....	495
Clerk of commissioners of sinking fund.....	495
Columbia railroad, completion of south track.....	504
motive power.....	501
ordinary repairs.....	500
repairs in 1854.....	501
Collectors and officers on public works.....	501
Clyde & Hamilton.....	506, 651, 653
Colonial Records, &c.....	221
Common schools.....	490
Contingent expenses of legislature.....	62
Cunkle, L. G.....	499
Dam at mouth of Mill creek.....	503
Damages on public works.....	503
Danville and Pottsville railroad company.....	499
Deaf and dumb, institution for.....	505
Debt, state, interest on.....	500
for repairs on public works.....	501, 502
Deffenderfer, Jacob.....	484
Deputy secretary of the commonwealth.....	495
Executive department.....	496
Farm and road bridges.....	501

	Page
Appropriations, Fraley, F.....	506
Geological survey and map	418
Glasgow, Jane.....	101
Gold, Elsy.....	278
Governor.....	495
Harrisburg gas company.....	499
water company.....	499
Hartman, Magdalena.....	385
Hazard, Samuel.....	221
Hospital, State Lunatic.....	505, 515
Western Pennsylvania.....	512
House of Refuge, Eastern Pennsylvania.....	504
Western....do	6, 505
Idiotic and feeble minded children.....	505
Inaugural expenses.....	650
In-let lock at mouth of Mill creek.....	503
Innis, Isabella.....	249
Interest, guarantee of.....	499
on public debt.....	500
Investigating committees—Bank of Northern Liberties.....	653
United States senatorial election.....	655
Jameson, Eleanor.....	353
Jamison, Jane.....	280
Judiciary	499
Junction canal company.....	505
Keenan, James.....	505
Laws, distribution of.....	499
Legislature.....	496
Librarian, State.....	495
Library....do.....	505
Lightner, Anna Mary.....	484
Lock-keepers.....	501
Long, Christina.....	390
Lunatic hospital.....	505
M'Calla, George W.....	506
M'Kinney, Francis.....	505
Merryman, Mary.....	117
Miscellaneous expenses.....	499
Mosher, Hannah.....	379
Motive power, ordinary.....	500
after December 1, 1855.....	501
on Portage railroad, 1854.....	502
Northern Liberties Bank, investigation.....	653
Peffer, Henry.....	498
Pell, Elizabeth.....	247
Penitentiaries.....	504
Pensions.....	499
Pennsylvania Archives.....	221
railroad company.....	501
Public buildings and grounds.....	498
printing.....	499

	Page
Appropriations, Reese, Catharine.....	354
Repairs, ordinary.....	500, 503
after Dec. 1, 1855.....	500
debts for, in 1854.....	501
1853.....	502
Rice, James.....	505
Schools, common.....	499
School department, expenses of.....	495
Secretary commonwealth.....	495
Siverling, Barbara..	398
Smull, John A.....	505
Society for promoting agriculture.....	445
Spears, Robert W.....	505, 507
State debt, interest on.....	500
State department, expenses of.....	495
State librarian.....	495
State library.....	505
State lunatic hospital.....	505
State treasurer and expenses of office.....	495, 496
Superintendent of footwalks.....	498
Superintendent of public buildings	499
printing.....	505
Supreme court.....	499
Surveyor general and expenses of office.....	495, 496
Sutherland's manual, purchase of.....	648
Swatara aqueduct.....	500
Tioga navigation company.....	500
Training school idiotic children.....	505
United States Senatorial election, investigation.....	655
Vaughn, Robert V.....	505, 507
Ward, Elizabeth.....	447
Warren, Mary.....	379
Wash-women.....	507
Watchman, public buildings.....	499
Watson, Margaret.....	397
Whiteman, John.....	233
Wright, John W.....	485
Yeager, Margaret.....	426
Aqueduct, Swatara, appropriation for.....	500
Archives, Pennsylvania, distribution of.....	655
publication of.....	221
Armstrong county—Burrell township, elections in.....	5
Coroner of, fees regulated.....	64
Dog tax in, repealed.....	30
Freeport, elections in.....	3
State road in, relative to.....	349
Arsenal grounds, grading of.....	498
Assessors—Duties and pay of.....	509, 510
Election of, East Earl township, Lancaster co.....	70
Assignees and trustees, relative to.....	415
balances may be paid against.....	386

	Page
Assignments, recording of, relative to.....	724
Associate judges, appropriation for pay of.	490
Associations—Bedford mineral springs, incorporated.....	546, 706
Charitable and religious, relative to.....	328
Cosmopolitan art, incorporated.....	606
Drovers' and butchers'...do.....	97
Ephrata Monument, supplement.....	356
Ephrata Mountain springs, incorporated.....	586
Franklin hall, Chambersburg...do.....	611
Fulton hall, incorporated.....	622
Greenwich building, relative to.....	454
Income of certain, limited.. ..	328
Incorporation of, in certain counties.....	454
Marshall savings, supplement.....	461
Park association, Point Breeze.....	130, 555
Premiums of certain, not usurious.....	519
Stock of certain, declared personalty.....	329
Unincorporated, incomes limited.....	329
Union hall, Middletown, incorporated.....	552
Wabank house, incorporated.....	619
Asylum, Orphans', Pittsburg, relative to tax due by.....	44
Athens, Bradford county, boundaries extended.....	294
Attachments, relative to.....	213
Attorneys, district, relative to	308
Attorney general, appropriation to.....	495
Auburn and Port Clinton railroad company, incorporated.....	665
Auctions, Meadville, Crawford county, relative to.....	192
Auctioneers in Erie, relative to.....	231
Auditors—Allegheny county, pay of.....	85
Township, Bradford county, meeting of.....	483
Delaware county, duties of.....	306
Auditor General—Appropriation for, and expenses of office.....	495
Duty of, in relation to certain corporations.....	507
Duty of, in relation to certain estates.....	332
Legislative expenses, to settle certain.....	62
To examine and re-settle the account of John G. Lowry.....	207
To allow F. C. Ross a credit.....	334
To examine claim of Henry Wagner.....	251

B.

BALD EAGLE AND SPRING CREEK NAV. Co., interest guarantied to.....	499
Balliet, Francis, Julia and Eleanor, to legitimate.....	120
Banks—Act regulating, supplement.....	258, 508
Allentown, incorporated.....	544
Anthracite, incorporated	156
Assistant cashiers, authorized.....	508
Cashiers of, relative to	258, 508
City, Philadelphia, incorporated.....	150
Commerce, re-chartered.....	455
Consolidation, incorporated.....	224
Directors of, justices of the peace may be.....	258

Banks —Farmers', Reading, re-chartered.....	180
Gettysburg, re-chartered	686
Honesdale, capital increased.....	84
Lock Haven, incorporated.....	573
Manufacturers' and Mechanics', re-chartered.....	709
Mauch Chunk, incorporated.....	558
Mechanics', Pittsburg, incorporated.....	149
New Castle, incorporated.....	558
North America, re-chartered.....	367
Northern Liberties, expenses of investigation, relative to.....	653
Northumberland, re-chartered.....	686
Pennsylvania, re-chartered.....	134
Peun Township, re-charter of	711
capital restored.....	151
Reading Savings, incorporated.....	632
Reports to auditor general by.....	506
Southwark, re-chartered.....	606
Tradesmen's, Philadelphia, re-chartered.....	457
United States, trusts closed.....	8
Vice presidents of, authorized.....	508
Warren County, cashier of, relative to.....	441
incorporated.....	733
Western, re-chartered.....	605
Basin , canal, at Huntingdon, erection of.....	503
company, Delaware and Schuylkill, incorporated.....	563
Bear Creek and Lehigh plank road company , borrow money.....	7
Beaver academy , certain lots dedicated to	517
Beaver county —Commissioners of, pay of.....	198
State road between Michael Hargr's mill and John H. Yerger's mill, relative to.....	323
State road from Rochester, Beaver county, to the Perrysville and Zelienople plank road in Butler county.....	353
Bebee , Nathan B. and Emma, divorce of	726
Bedford county —Birds and fruit, protection of.....	234
Boundary line between Somerset and, to be run.....	32
Road laws, certain, extended to.....	189
Bedford Mineral Springs association , incorporated.....	546, 706
Belmont Avenue and plank road company , supplement.....	319
Manufacturing company, supplement.....	337
Bently , S., appropriation to.....	652
Berks county —Birds, game, &c., in, protection of.....	335
Boundary line between Schuylkill and, relative to.....	177
Finances of, relative to.....	326
Fruit and gardens in, to protect.....	55
Gas works, Reading, city councils may buy.....	375
Reading Savings Bank, incorporated	632
Big Black Creek improvement company , incorporated.....	572
Big Run , Jefferson county, a public highway	133
Bingham mining and lumbering company , incorporated	726
Birch Pond , Bucks county, draining of.....	419
Birds , protection of, in certain counties	55, 155, 169, 234, 235
Birmingham borough , supplement.....	363

	Page
Black Creek improvement company, incorporated	713
Blair county—Birds, fruit, &c., protection of	234
Commissioners, pay of	306
Fruit and gardens, protection of	162
Blairsville female seminary, exempted from taxation	31
Blind, appropriation for instruction of	504
Blue Mountain turnpike company, incorporated	40
Boarding house keepers, protection of	479
Boom in West Branch, erection authorized	194
Boroughs—Appointment of election officers in	5
Altoona, to supply with water	409
Athens, boundaries extended	294
Birmingham, supplement	361
Brookville, draft of, to be made	83
Browsville, supplement	487
Cherry Tree, incorporated	372
Clarksville, certain farms re-annexed to	282
place of holding elections fixed	72
Columbus, Warren county, collection of taxes in	404
Cookstown, name changed	681
Coudersport, taxes in	39
Danville, supplement	457
Freeport, time of electing officers fixed	4
Gettysburg, election of constables in	69
Honesdale, supplement	471
Huntingdon, supplement	122
Lebanon, election of justices in	61
Ligonier, relative to	493
Loretto, place of holding elections changed	29
Meadville, auctioneers in, relative to	192
overseers of poor in	259
Mifflinburg, repeal of part of charter	247
Norristown, George street in, relative to	281
may borrow money	278
incorporation of	717
Palo Alto, supplement	2
Pittston, courts may enlarge	352
Pleasant Mount, charter repealed	492
Pottstown, Water street in, to alter	187
Pottsville, Coal street in, relative to	22
Shirleysburg, relative to	201
Shrewsbury, may borrow money	275
Smettport, taxes in	421
West Chester, supplement	319
Wilkesbarre, relative to	443
Wrightsville, Seventh street in	469
York, supplement	348
survey of streets, &c., authorized	307
Boundary lines, between—Bedford and Somerset	111
Berks and Lebanon	111
Berks and Schuylkill	177

	Page
Boundary lines, between—Huntingdon and Mifflin.....	343
Lebanon and Schuylkill.....	111
M'Kean and Elk.....	357
Northampton, Monroe and Carbon.....	291
Philadelphia and Montgomery	283, 442
Union and Mifflin.....	364
Bowman, Isadore, to legitimate.....	285
Bradford county—Athens, boundaries extended.....	294
County commissioners, pay of.....	198
Ferry near Ulster, relative to.....	126, 436
Fruit and gardens, protection of	55
Militia fines in, to be settled.....	212
Roads in, damages for opening.....	381
State road, Tunkhannock to Towanda.....	133
Township auditors, meeting of.....	483
Brady, Joseph, relief of.....	342
Brady, Wm. P., appropriation to.....	507
Bribery, to define and punish.....	73
Bridesburg plank road company, incorporated.....	169
Bridge companies, act regulating.....	217
Bridges— Alteration of location of.....	313
Allegheny, Warren county, sale of.....	229
Big Mahoning creek, rel. to	210
Brookville, rel. to	175
Canal, act rel. to.....	220
appropriation for repair of.....	501
Falls of Schuylkill, sale of.....	167
Hockendauqua, incorporated	182
Juniata and Hare's Valley, incorporated	682
Lewistown and Tuscarora, rel. to.....	141
Lumberville Delaware, rel. to.....	181
Monongahela, toll on.....	228
Octorara, declared a county bridge.....	50
Over Clarion river, at Mill creek.....	235
Pittsburg, incorporated	559
Ridgway, Elk county, rel. to.....	65
Sharpsburg, rel. to	446
Warren and Ridgway, incorporated.....	701
Watsonstown, incorporated	735
White Deer, tolls on.....	378
Windsor Haven, supplement.....	632
York Furnace company, to borrow money.....	214
Youghiogheny river, supplement.....	129
Bridgetown and Newtown turnpike, tolls on.....	250
Brigade inspectors, compensation of.....	470
Broad Mountain improvement and railroad company, supplement.....	72
Broad Top improvement company, incorporated	585
Brokenstraw creek, declared a public highway.....	377
Brookville, draft to be made of.....	83
Brownsville borough, supplement to	487
Bucks county—Birch pond, draining of	419
Birds, fruit, gardens, &c., protection of.....	234

	Page
Bucks county—Brown's graveyard, repair of.....	401
Courts authorized to grant charters.....	208
Potter's field, burial ground, rel. to.....	494
Supervisors of, to give security.....	488
Bristol township, duties of.....	419
Buechle, Catharine, relief of.....	219
Bugher, John H., authorized to adopt a child.....	92
Building associations—Greenwich, relative to.....	454
Incorporation of, in certain counties.....	208, 318, 481
Premiums, not usurious.....	519
Stock declared personal property.....	329
Building association insurance company, name changed.....	67
Buildings, inspection of, Philadelphia.....	464
Burial grounds—Protection of.....	462
Potter's field, Bucks county, relative to.....	494
Burke and Gonder, claim of, canal commissioners to examine.....	656
Burns, Charles M. and others, relief of.....	388
Burrows, Clarissa Jane, adoption of.....	230
Butchers and Drovers, Associated, incorporated.....	97
Butler county—Birds and fruit in, protection of.....	234
Fox scalps, bounty on.....	153
School directors, election and acts validated.....	118
State road from Rochester to Perrysville and Zellenople plank road.....	354
Butler, Sarah H., estate of, relative to.....	136

C.

CAMBRIDGE AND MARVIN'S MILLS PLANK ROAD COMPANY, incorporated.....	108
Cameron, Elizabeth, a lunatic, relative to her estate.....	244
Canada thistles, destruction of, in Erie county.....	476
Canal basin and weigh-lock, Huntingdon, authorized.....	503
Canal commissioners—Appropriation for, and expenses of office.....	501
Authorized to change tolls on public works.....	506
Authorized to draw warrant in favor of William Able.....	434
To build a dam at Mill creek.....	166
examine claim of Burke and Gonder.....	656
examine claim of William P. Cooper.....	147
examine claim of Woodbury township, Blair county...	387
alter discharge of waste water on farm of Elizabeth Hall.....	118
May remove superintendent of Upper North Branch canal,	502
Reports to, by superintendents and supervisors.....	504
companies—Act relative to.....	450
Erie, relative to.....	518
Canals—Basin and weigh-lock at Huntingdon, construction of.....	503
Bridges over, appropriation for repair of.....	501
Collectors, &c. on, appropriation for pay of.....	501
Dam and in-let lock at Mill creek, relative to.....	503
Delaware division, ordinary repairs on.....	500
repairs in 1893.....	502
Delaware and Schuylkill, rights to land taken for.....	427

	Page
Canals—Eastern division—Aqueduct on, appropriation for.....	500
Lauman, George M., authorized to connect with.....	59
Ordinary repairs on.....	500
Repairs in 1854.....	501
1853.....	502
Junction, appropriation to.....	503
Lower Juniata division, ordinary repairs of.....	500
Lower North Branch division, ordinary repairs on.....	500
out-let lock on.....	500
Lower Western division, ordinary repairs on.....	500
Main line, sale of.....	521
North Branch, contract for water for.....	239
Officers on, appropriation for.....	501
reports by.....	504
Out-let lock, Nanticoke dam, appropriation for.....	500
Superintendents and supervisors on, reports by.....	504
Susquehanna division, ordinary repairs on.....	500
repairs in 1854.....	502
1853.....	502
Swatara aqueduct, appropriation for.....	500
Tolls on, canal commissioners may change.....	506
Union, supplement to.....	74
Upper Juniata division, ordinary repairs on.....	500
repairs in 1854.....	502
Upper North Branch division, construction and repair of.....	502
Wm. R. Maffit appointed superintendent..	502
Upper Western division, ordinary repairs on.....	500
West Branch division, ordinary repairs on.....	500
repairs in 1853.....	502
Carbon county—Boundary lines of.....	291
Courts authorized to grant certain charters.....	208
Poor house, erection of.....	294
Supervisors in, to give security.....	488
Carbon Run improvement company, supplement.....	320, 490
Carver, John E., to re-convey trust estate to S. A. Parsons.....	439
Cash mutual insurance company, name changed.....	116
Cemeteries, protection of.....	462
Cemetery companies—Greenwood, to incorporate.....	699
Oakland, election of managers of.....	94
Wellsboro', rel. to.....	325
Wilkesbarre, incorporated.....	738
Census of Philadelphia, taking of authorized.....	257
Central American mining company, incorporated.....	688
supplement.....	607
Central insurance company, rel. to.....	116
Centre county—Commissioners of, pay of.....	198
Poor house, erection of.....	392
Certioraries, allowance of to justices.....	304
Chambersburg, Greencastle and Hagerstown railroad, rel. to.....	536
Charitable corporations, estates of, rel. to.....	328

	Page
Charters—Relative to	423
Alteration of by courts, rel. to.....	477
Granted by courts, rel. to	330, 477
Chartiers Valley railroad company, borrow money.....	262
Chatham street, Philadelphia, widening of.....	312
Chattle loan company, Philadelphia, incorporated.....	573
Chemung river, resolution relative to water of.....	654
Chester county—Animals running at large in, prohibited.....	351
Birds and fruit in, protection of.....	234
Dog-tax in, extended.....	70
Lists of voters in, to be preserved.....	99
Poor, directors of, terms of office fixed.....	75
Supervisors in, to give security.....	488
Teachers' institute in, established.....	359
West Chester borough, relative to.....	319
Children—Adoption and change of names, authorized.....	431
Friendless, Northern Home for, relative to.....	424
Rights of parents over, regulated.....	431
Christy, Nancy, claim of commonwealth released to.....	289
Churches—German Reformed and Lutheran, Turbutville, relative to.....	344
Mount Zion, Cumberland county, relative to	323
Presbyterian, Erie, to sell certain lots.....	482
Presbyterian, Lancaster, elections validated.....	172
Presbyterian, Wellsboro', relief of.....	272
Union, Plainfield, Cumberland co., incorporated....	741
City Bank, Philadelphia, incorporated.....	150
Clarion and Red Bank plank road incorporated.....	400
Clarion county—Bridge over Clarion river at Mill creek, to re-build.....	235
Dog tax in, repealed.....	30
Fruit and gardens in, protection of.....	169
Hawkers and pedlers in, relative to.....	148
State road in, repealed.....	271
and Armstrong county.....	349
Clark, Kate E., to legitimate.....	6
Clark, Rachel, name changed.....	92
Clarksburg, certain farms re-annexed to.....	282
Clerk hire in various departments, appropriation for.....	495
Clerk of commissioners of sinking fund.....	495
Clerks of legislature, contingent expenses of, to be settled.....	62
pay of.....	497
Cleveland and Pittsburg R. R. C., supplement.....	63
Clinton county—Building associations, &c., incorporation of.....	318
Courts in, time of holding fixed.....	95
Clinton County coal company, supplement.....	406
Clyde & Hamilton, appropriation for.....	506, 651, 653
Coal, tonnage tax on, repealed.....	459
Coal companies—Allegheny railroad and, supplement..	114
Broad Top Mountain, supp.....	162
Clinton County, supp.....	406
Dauphin and Susquehanna.....	412, 533
Enon Valley, relative to.....	271, 534

	Page
Coal companies—Hopewell iron and, incorporated.....	614
Lackawanna iron and, supp.....	398
North Pennsylvania, to pay interest.....	174
Pennsylvania, supp.....	379
Pittston, relative to.....	456
Short Mountain, increase of capital.....	19
West Pittston, payment of interest by.....	216
Coal street, Pottsville, relative to.....	32
Collaterals, descents among, regulated.....	368
Collateral inheritance taxes, relative to.....	425
due by Orphan asylum, Pittsburg.....	44
Collectors, Montgomery county, appointment of.....	440
on public works, appropriation for.....	501
College avenue, Lancaster, opening of.....	473
Colleges—Eclectic Medical, relative to.....	493
Wistar Medical, incorporated.....	527
Colonial Records, distribution of.....	655
publication of index to.....	221
Columbia and Chestnut Hill turnpike road company, supp.....	165
gas company, dividends by.....	190
railroad, appropriations for.....	500, 504
street in, relative to.....	103
water company, supplement.....	119
Combula improvement company incorporated.....	630
Commissioner, district court, Philadelphia, to appoint.....	314
Commissioners—Allegheny county, pay increased.....	85
Beaver county, pay of, increased.....	198
Blair county, pay of.....	306
Bradford county, pay of.....	198
to settle militia fines.....	212
Centre county, pay of.....	198
Clarion county, to subscribe to bridge over Clarion river.....	235
Crawford county, to divide county into road districts.....	36
Delaware county, pay of.....	306
Erie county, relative to.....	77
Franklin county, to borrow money.....	75
Jefferson county, authorized to borrow money.....	165
have draft of Brookville made.....	83
repair bridge at Brookville.....	175
Lancaster county, appoint prison inspectors.....	486
pay of.....	306
to settle militia fines.....	212
Lawrence county, pay of.....	198
Luzerne county, to settle militia fines.....	212
Perry county, to sell Bloomfield academy.....	386
Schuylkill county, to purchase a lot of ground.....	141
Washington county, to settle militia fines.....	212
York county, to settle militia fines.....	212
Companies, unincorporated, incomes limited.....	329
Conestoga and Beaver Valley turupike road company, incorporated.....	131
Congregation, Second Presbyterian, Lancaster, relative to.....	172

	Page
Consolidation Bank, incorporated	224
Consolidation of Philadelphia, supplement	264
Constables, Gettysburg, election of	69
East Earl township, Lancaster county, election of	70
Convicts, removal of certain, from penitentiary	111
Cooper, Wm. P., relief of	147
Cornwall and Phoenixville railroad company, supplement	584
Coroner, Armstrong county, fees of regulated	64
Corporations, charters of, relative to	423, 477
Religious, charitable, &c., relative to	323
Reports by, to auditor general	506
Cosmopolitan Art association, incorporated	606
County lines—See Boundary Lines.	
County superintendents, salaries of, relative to	510
County treasurers—New bonds to be given by, when	507
payment by, to state treasurer, regulated	507
Courts—Allegheny county, to fix allowance for prisoners in jail	520
Bucks county, to terminate a certain trust	196
Charters by, relative to	208, 330, 477
Clinton county, time of holding fixed	95
Dauphin county, relative to	62
District, Philadelphia, to appoint a commissioner	314
Divorce, jurisdiction extended in	68
Elk county, time of holding, changed	94
Fourth judicial district, time of holding, changed	94
Jefferson county, relative to	69
Juniata county, holding, regulated	527
Lebanon county, relative to	62
Lycoming county, time of holding, changed	445
May appointment trustees	416
May charter certain associations	477
May change names of children	431
May fix the places for holding elections	5
M'Kean county, time of holding, changed	94
Mercer county, time of holding, changed	61
may legitimate certain negroes	310
Partition in orphans, relative to	214
Philadelphia, publication of legal notices by	162
Potter county, time of holding, changed	94
Schuylkill, criminal in, relative to	374
Supreme—ERRATUM. In act changing time of holding, "Third Monday," in the fourth line from the end of section 1, on page 305, should read "First Monday."	
Reporter to, relative	525
Time of holding, changed	305
Susquehanna county, time for holding, changed	20, 171
Tioga county, time of holding, changed	94
Wayne county, chancery powers conferred on	93
Craig, David M., authorized to adopt Phebe Minesinger	376
Crawford county—Animals running at large, rel. to	316
Auctions in, rel. to	192
Cambridge township, election house in	180

	Page
Crawford county —Fruit and gardens, protection of.....	55
Poor, overseers of, in Meadville.....	259
Road districts, division into.....	36
Roads and highways in, rel to.....	153
Creeks Big Chiquesalunga, fishing in prohibited.....	279
Big Mahoning, bridge over, rel. to.....	210
Brokenstraw, declared a public highway.....	377
Conococheague, East and West, fishing prohibited in.....	383
Jacobs, fishing prohibited in.....	332
Potato, made a public highway.....	250
Tionesta, made a public highway.....	133
Crim, Mary , to convey trust estate to S. A. Parsons.....	439
Cumberland county —Lists of voters in, to be preserved.....	99
Roads and bridges, state, rel. to.....	313
Road laws, certain, extended to.....	223
Road, state, in York and Cumberland counties.....	57
Cunkle, L. G. , appropriation to.....	499
D.	
Dam at mouth of Mill creek, authorized.....	166
in Youghioghény, J. C. Plumer's, rel. to.....	109
Danville gas company , incorporated.....	710
supplement.....	290
Danville and Pottsville railroad , interest guarantied to.....	499
Darlington Cannel Coal railroad company , supplement.....	103
Dauphin and Susquehanna coal company , supplement.....	412, 533
Dauphin county —Building associations, &c., chartering of.....	481
Courts in, rel. to.....	62
Lists of voters in, to be preserved.....	478
State road in, supplement.....	140
Deaf and dumb , appropriation for instruction of.....	505
Death , actions for injuries producing.....	309
Debt —State, interest on, appropriation for payment.....	500
For repairs on public works.....	500
in 1854.....	501
1853.....	502
Deed —Acknowledgment and recording of.....	724
Administrators of R. P. Wallace, to make.....	434
Carver, John E. and others, to make.....	439
To Elias Ginnis, confirmed.....	438
Deer, M'Kean county , hunting with dogs prohibited.....	27
Deffenderfer, Jacob , relief of.....	484
Delaware and Schuylkill basin company , incorporated.....	563
Delaware and Schuylkill canal , rights to land occupied by.....	427
Delaware county —Birds, fruit, &c., in, protection of.....	234
Commissioners, pay of.....	306
Directors of poor in, rel. to.....	171
Lists of voters in, to be preserved.....	99
Township auditors, oaths to be filed.....	306
Delaware division Pennsylvania canals — See canals.	
Delaware, Lackawanna and Western railroad company , supplements.....	37, 110, 302

	Page
Deputy secretary commonwealth, appropriation for.....	495
Descents, regulated among collaterals and illegitimates	368
Devises for religious and charitable purposes, regulated	330
Digests, clerks of legislature to purchase.....	3
Dime savings—Easton, incorporated.....	625
Philadelphia, incorporated.....	667
Institution, Philadelphia, supplement.....	478
District attorneys, rel. to.....	308
Ditches, railroads to make in Erie county.....	476
Dividends by corporations, tax on.....	506, 507
Divorces—Act extending jurisdiction of courts in.....	68
Bebee, Nathan B. and Emma.....	726
Gallagher, Helen M. and Charles B.....	115
Ranch, Edward H. and Emeline.....	690
Rich, John G. and wife.....	475
Ross, Sarah Elizabeth and Benjamin C.....	689
Dogs—Act taxing, repealed in Armstrong, Clarion and Jefferson counties.....	30
Chester county, tax on, extended.....	70
Fayette county, taxed.....	120
Dollar savings institution, Pittsburg, incorporated.....	590
Donaldson improvement company, relative to.....	80, 435
Drovers and Butchers, Associated, Philadelphia, incorporated.....	97
Dunwidde, Rebecca, relative to her estate.....	461
E.	
EASTERN PENITENTIARY, appropriation for.....	504
East Brandywine railroad, supplement	543
Eastman, Ledyard, to legitimate.....	85
Easton Dime savings, incorporated	625
West Ward water company, supplement.....	448
Ecclesiastical estates, relative to.....	330
Eckel, John, relative to estate of.....	199
Edgehill and Abington Valley turnpike company, incorporated.....	288
Education by common schools—Appropriation for.....	499
Supplement.....	509
Elections—Act relative to, in certain counties.....	99
Courts to fix places of holding, and appoint officers of, when.....	5
To fill vacancies in the legislature, relative to.....	1
Adams county, officers to preserve lists of voters.....	99
Allegheny county, Moon township, place of holding, fixed.....	45
Armstrong county, Burrel township, place of holding, fixed.....	5
Freeport borough, time of holding spring elections, changed.....	3
Blair county, Gaysport borough, relative to.....	346
Bucks county, Bridgeton election district formed.....	347
Butler county, certain, validated.....	118
Cambria county, Loretto borough, place of holding, changed.....	29
Chester county, lists of voters to be preserved.....	99
Crawford county, Cambridge township, place of holding, to be provided,	190
Columbia county, Madison township, place of holding, fixed.....	743
Roaring Creek township, place of holding, fixed....	743
Cumberland county, lists of voters to be preserved.....	99

	Page
Elections—Dauphin county, lists of voters to be preserved.....	478
Delaware county, lists of voters to be preserved.....	99
Fayette county, Bridgeport district, relative to.....	347
lists of voters to be preserved.....	99
Franklin county, lists of voters to be preserved.....	99
Huntingdon county, certain, validated.....	124
Huntingdon borough, place of holding, fixed.....	123
Juniata county, Cherry Hill township, place of holding, fixed.....	52
Greene township, place of holding, fixed.....	52
Lebanon county, of justices, Lebanon borough, relative to.....	61
Luzerne county, Slocum township, relative to.....	79
Mercer county, Clarksville, place of holding, fixed.....	72
Montgomery county, closing of, prescribed.....	453
lists of voters to be preserved.....	99
Northumberland county, lists of voters to be preserved.....	478
Schnylkill county, West Brunswick township, relative to.....	347
Orwigsburg, relative to.....	347
Westmoreland, Penn township, place of holding.....	72
Election districts—Appointment of officers in.....	5
Bridgeport, Fayette county, enlarged.....	347
Bridgeton, Bucks county, formed.....	347
Cherry Tree, Indiana county, formed.....	373
Gaysport, Blair county, enlarged.....	346
Huntingdon borough, erected.....	123
Orwigsburg, Schuylkill county, enlarged.....	347
Port Clinton.....do.....do.....	347
Slocum township, Luzerne county, erected.....	79
Elder, Elizabeth Shippen, to legitimate.....	335
Electrical telegraphs, relative to.....	531
Elk county, act erecting, supp. to.....	254
boundaries of, relative to.....	357
courts in, time of holding, changed.....	94
judgments and mortgages in, revival of.....	254
Ridgway bridge, relative to.....	65
road laws of, consolidated and amended.....	240
Enon Valley coal company, relative to.....	271, 534
Ephrata Monument association, supp.....	356
Mountain Springs association incorporated.....	586
Erie academy, trustees to re-settle account of M. Pollock.....	21
canal company, relative to.....	518
city, auctioneers in, relative to.....	231
burial ground in, sale of, authorized.....	482
gas, lighting with, relative to.....	145
county—Fishing in Presque Isle bay, prohibited.....	29
Le Boeuff township, road tax in.....	25
Taxes in, relative to certain.....	77
Waterford, notary public in, to be appointed.....	257
fire and marine insurance company, name changed... ..	671
Estates of corporations, relative to.....	328
to secure transmission and enjoyment of.....	368
Eureka insurance company incorporated.....	562

	Page
Exchange mutual insurance company incorporated.....	86
Executions in foreign attachments, relative to.....	532
Executive department, appropriation for.....	495
Executors and administrators, liability of.....	308
F.	
FALLING SPRING, fishing in, prohibited.....	332
Farm bridges, repair of, appropriation for.....	501
Farmers' and Mechanics' fire, marine and life insurance company incorporated....	635
Farmers' Bank, Reading, re-chartered.....	180
Farmers' high school incorporated.....	46
Farmers' mutual fire insurance company incorporated.....	674
Fayette city erected.....	681
county—Agricultural society, Jefferson township, incorporated.....	732
Brownsville, elections in.....	487
Dog tax in.....	120
Fruit and gardens in, protection of.....	169
Poor in, relief of.....	380
Roads and bridges, change of locations of.....	312
State road from Perryopolis to Snyder's store.....	41
Feasterville and Bridgetown turnpike, tolls on.....	201
Feme-sole traders, relative to.....	430
Fees—Of coroners, Armstrong county, regulated.....	64
For commitments to house of refuge.....	283
Harbor masters, Philadelphia, relative to.....	491
Items of, to be given by sheriffs, when.....	160
Time for collecting, extended in certain counties.....	386
Fees-tail, estates in, construed and limited.....	368
Ferguson, Martha, relative to adoption of.....	230
Ferguson street, Pittsburg, opening of.....	196
Ferry—At Centreville, Columbia county, relative to.....	114
Over Delaware at Aten's.....	261
Over Susquehanna at Ulster.....	126, 436
FHbert, Peter, certain disabilities removed.....	196
Fines and forfeitures in Philadelphia and Allegheny co., relative to.....	315
Fire insurance companies—See insurance companies.	
Fishing—Big Chequesalunga creek, fine for.....	279
East and West Conococheague creek, prohibited.....	332
Falling spring, prohibited.....	333
Jacob's creek, prohibited.....	333
Presque Isle bay, prohibited.....	29
Fitzwatertown and Moreland turnpike road co., incorporated.....	317
Flag of Second Pennsylvania volunteers, resolution relative to.....	652
Foreign attachments, judgments and executions in, regulated.....	532
Fox, Grafton, legitimated.....	212
Fox scalps, bounty on, in Butler county.....	153
bounty on, in Greene county, repealed.....	122
Schuylkill....do.....	122
Fraley F, appropriation to.....	506
Franklin county—Commissioners to borrow money.....	75
Lists of voters to be preserved in.....	99

	Page
Franklin county, State road from Roxbury to Concord, repealed.....	316
Franklin hall association, incorporated.....	611
Franklin street, Philadelphia, opening of.....	34
Frauds and perjuries, supplement to act to prevent.....	308
Free institute of science, Wagner, incorporated.....	65
Free Mason's halls, courts may charter.....	477
Freeport, time of holding spring elections changed.....	3
Fruit, protection of, in certain counties.....	55, 155, 169, 234
Fulton county—Fruit and gardens in to protect.....	55
Road laws, certain, extended to.....	223
Fulton hall association, incorporated.....	622
Funston Jas. C., suit against, authorized.....	414

G.

GALLAGHER, HELENA M., AND CHARLES B., divorce of.....	115
Galitzin plank road company, incorporated.....	96
Game, preservation of, in certain counties... ..	149, 335
Gardens, acts for protection of.....	55, 155
Garnishees, relative to.....	213
Gas companies—Columbia, dividends by.....	190
Danville, incorporated.....	710
supplement.....	290
Erie, relative to.....	145
Harrisburg, appropriation to.....	490
Kensington, relative to.....	280
Lock Haven gas and water, incorporated.....	657
Mauch Chunk, incorporated.....	659
Mechanicsburg....do.....	694
Reading, authorized to sell works.....	375
Gemmill, Susan, executors of, to make a deed.....	434
Geological specimens, relative to.....	650, 651
survey, publication of.....	417
George street, Norristown, relative to.....	281
Gettysburg Bank, re-chartered	686
Gettysburg, election of constables in.....	69
Girard life insurance company, supplement.....	37
Glasgow, Jane, relief of.....	101
Governor, appropriation to.....	495
Graduation of lands, relative to.....	428
Grave yards, protection of.....	462
Greene county—Bounty on fox scalps in, repealed.....	122
Poor, relief of.....	380
Taxes in, collection of.....	528
Greene Ridge improvement co., supplement to.....	546
Greenwich land and building association, relative to.....	454
Greenwood cemetery co., incorporated.....	699
Greenwood colony, supplement.....	246
Ground rents, annuities, &c., relative to... ..	369
Guano company, Philadelphia, incorporated.....	694
Guardians, appointment of, by father, relative to.....	421

H.

	Page
HALL ASSOCIATIONS —Courts may charter.....	477
Franklin, Chambersburg, incorporated.....	611
Fulton, Lancaster, incorporated.....	622
Odd Fellows, York, to borrow money.....	278
Union, Middletown, incorporated.....	552
Hall, Elizabeth , relative to farm of.....	118
Halter Creek turnpike road company, supp.....	420
Hamilton & Clyde , appropriations to.....	506, 651, 658
Hancock street , Pittsburg, relative to.....	128
Harbison, Sam'l , relative to his trust deed.....	195
Harbor master , Philadelphia, fees of.....	491
Harrisburg gas company , appropriation to.....	499
water....do.....do.....	499
Hartman, Margaretta , relief of.....	385
Hartsville and Centreville turnpike company incorporated.....	168
Hawkers and pedlers , Clarion county, relative to.....	148
Juniata county, relative to.....	164
Venango county, relative to.....	174, 364
Hazard, Samuel , continued as editor of Pennsylvania Archives.....	221
appropriation to.....	221
Health institute , Allegheny Mountain, incorporated.....	691
Health laws , Philadelphia, supp. to.....	89, 391
Hereford turnpike road company incorporated.....	58
High school , Farmers', incorporated.....	46
Hill, Benjamin , authorized to adopt certain children.....	230
Mary Ellen, relative to.....	230
Hockendauqua bridge company incorporated.....	182
Honesdale Bank , capital increased.....	84
borough, supplement to.....	471
Hopewell and Bloody Run plank road company incorporated.....	124
coal and iron company incorporated.....	614
Hose company , Shiffler, incorporated.....	780
Hospital, State Lunatic	505, 515
Western Pennsylvania, relative to.....	512
Hours of labor , act regulating.....	472
House, Presbyterian , incorporated.....	575
House of Refuge —Eastern Pennsylvania, appropriation for.....	245, 504
Fees for commitments to.....	283
Western Pennsylvania, appropriation to.....	505
Fees for commitments to.....	283
May borrow money.....	427
Supplement to.....	7
Hotel keepers , protection of.....	479
Howard fire and marine insurance company incorporated.....	337
Huckstering , York county, regulated.....	486
Huntingdon and Broad Top Mountain railroad and coal company, supplement....	163
borough, supplement to act incorporating.....	122
county—Boundary line between, and Mifflin.....	343
Commissioners to exonerate Benedict Stevens.....	406
Directors of poor, mileage of.....	377
School directors, Morris district, to pay certain tax to Franklin district.....	152
Husband and wife , rights and duties of.....	439

I.

	Page
IMOTIC AND FEEBLE MINDED CHILDREN, appropriation for.....	505
Illegitimates, descents among, regulated	368
Improvement companies—Act consolidating several.....	97
Big Black Creek, incorporated.....	572
Black Creek, incorporated.....	713
Broad Mountain, supplement.....	72
Top, incorporated	585
Carbon Run, supplement.....	320, 490
Chiriqui, relative to.....	607
Coal Run and Railroad, supplement.....	399
Combula, incorporated.....	630
Donaldson, supplement.....	80, 435
Green Ridge, supplement.....	546
Inauguration ceremonies, expenses of.....	650
Independent mutual insurance company, incorporated.....	413, 437
Indiana county—Blairsville female seminary, exempted from taxation.....	31
Cherry Hill township, place of holding elections fixed.....	52
Fruit, garden, &c., in, protection of.....	155
Green township, place of holding elections fixed.....	52
Poor house in, erection of.....	202
Indiana and Kittanning turnpike, relative to.....	363
In-let lock at mouth of Mill creek.....	166
Inn keepers, act for protection of.....	479
Innis, Isabella, relief of.....	249
Inquisitions, act regulating	313
Insane asylum.....	505, 515
Insectivorous birds, protection of.....	55, 155, 169, 234
Inspector of buildings, Philadelphia, relative to.....	461
Institute, Health, Allegheny Mountain, incorporated.....	691
Teachers, Chester county, incorporated.....	359
Wagner, free, Philadelphia, incorporated.....	66
Insurance company—Building association, name changed	67
Cash mutual, name changed	116
Central, relative to.....	116
Erie fire and marine, name changed.....	671
Eureka, incorporated.....	562
Exchange mutual, incorporated.....	86
Farmers' and Mechanics' fire, marine and life, incorporated..	635
Farmers' mutual fire, incorporated.....	674
Girard life, annuity and trust, supplement.....	37
Howard fire and marine, incorporated.....	337
Independent mutual, supplement.....	413, 437
Jefferson fire, incorporated	551
Keystone, Erie, relative to	671
Luzerne County, relative to.....	598
Luzerne mutual, name changed.....	596
Manufacturers', incorporated.....	597
Merchants', supplement	594
Merchants' and Mechanics', supplement.....	67
Metropolitan, incorporated.....	719

	Page
Insurance company—National mutual, incorporated.....	589
Philadelphia mutual live stock, incorporated.....	714
Reading, incorporated.....	615
Union mutual, supplement.....	345
Western, relative to.....	193
Interest—Guarantee of, appropriation for.....	499
On State debt, appropriation for.....	500
Intoxicating liquors, sale of, on Sunday, to prohibit.....	53
to restrain.....	225
Investigations—Bank of Northern Liberties, expenses of.....	653
U. S. Senatorial election, expenses of.....	655
Iron companies—Hopewell coal and, incorporated.....	614
Johnstown, incorporated.....	623
Lackawanna, supplement.....	398
Lehigh Crane, relative to.....	10
Sharon, relative to.....	188
Thomas, incorporated.....	677
supplement.....	286
J.	
JACKSON TOWNSHIP, York county, rel. to.....	370
Jail, Allegheny, support of prisoners in.....	520
Jamison, Eleanor, relief of.....	253
Jameson, Jane, relief of.....	280
Jarrettown and Horsham turnpike road company, borrow money.....	198
Jeddo and Carbon County railroad company, supplement.....	545
Jefferson county—Big Mahoning creek, bridge over, rel. to.....	210
Big run, declared a public highway.....	123
Bridge at Brookville, rel. to.....	175
Brookville, draft of, to be made.....	83
Commissioners of, to borrow money.....	165
Courts in, rel. to.....	69
Dog tax in, repealed.....	30
School tax in Young township, collection of.....	77
Johnstown iron company, incorporated.....	623
Joint tenants and tenants in common, rel. to.....	217, 462
Journal, School, made official organ of school department.....	511
Judgments in foreign attachment, rel. to.....	532
Judicial district, fourth, time of holding courts in.....	94
Judiciary, appropriation for pay of.....	499
Junction canal company, appropriation to.....	505
Juniata and Hare's Valley bridge company, incorporated.....	682
Juniata county—Courts, rel. to holding of.....	527
may charter certain associations.....	203
Hawking and peddling prohibited in.....	164
Road, public, from Hibbsfield to Cocolamess creek.....	341
from Thompsonstown to Cocolamess creek.....	215
Jury, trial by, extended.....	365
Justices of the peace—Actions before, reference of, rel. to.....	304
Fines, &c., collected by, payment of.....	313
Lebanon borough, election of.....	61
May be bank directors.....	252
West Greenville township, Mercer county, rel. to.....	155

K.

	Page
KANE, DR. ELISHA K. AND CREW, resolutions relative to rescue of.....	648
Keating, John & Co., relative to proof of title of.. .. .	475
Keenan, James, claim of, and appropriation for.....	505
Kelly, John S., to legitimate	306
Kensington gas company, supplement to.....	280
Keystone insurance company, Erie, rel. to.....	671
zinc company, incorporated.....	711

L.

LABELS, penalty for using false.....	514
Labor, hours of, in factories, &c., regulated.....	472
Lackawanna iron and coal company, supplement.....	398
Lackawanna and Bloomsburg railroad company, supplement.....	191
Lackawanna and Western railroad company, supplement.....	37, 110, 302
Lampeter and Bridgeport turnpike road company, incorporated.....	230
Lancaster city—Act incorporating, supplement to	81
College avenue in, opening of	473
Fulton hall association, incorporated.....	622
Prince street, extension of	473
Taxes in, collection of	92
Lancaster county—Birds and fruit, protection of	234
Bridge over West Branch of Octorara creek.....	50
Commissioners, pay of....	306
Constables, election of, in East Earl township	70
Courts authorized to grant certain charters.....	208
Ephrata Monument association, relative to.....	356
Ephrata Mountain Springs association, incorporated	586
Fishing in Big Chiquesalunga creek, prohibited.....	279
Fruit, gardens, &c. in, protection of.....	55
Fulton hall association, incorporated.....	622
Game in, to preserve.....	149
Militia fines in, commissioners to settle.....	212
Poor, directors of, relative to....	321
Prison inspectors, appointment of.....	486
Wabank house, incorporated	619
Lancaster and Marietta turnpike road company, supplement.....	19
Lead and building associations—Greenwich, relative to	454
Incorporation of	218, 318, 481
Stock in, declared personalty.....	329
Lands—Graduation of, relative to.....	428
Mineral, relative to development of	217, 462
Patenting of, time extended.....	428
Rents of certain, in Bucks county.....	401
Resolution relative to certain, held by New York and Erie railroad com- pany	654
Time of selling certain, by New York and Erie railroad company, extended,	646
Titles to certain, confirmed.....	381
Unseated, redemption of	519
Unseated, Sullivan county, repeal of act relative to....	263

	Page
Lane, Jarvis, Philadelphia, widening of	418
Lanning, Mary Ann, estate of, relative to	125
Larry's Creek plank road company, supplement	356
Lauman, Geo. M., authorized to form a connection with the Pennsylvania canal...	50
Lawrence county—Commissioners, pay of	198
Fruit and gardens in, protection of	169
School directors, New Castle, to borrow money	470
Laws—Distribution of, appropriation for	490
Road—Bedford county, certain, extended to	189
Consolidation of, in certain counties	240
Cumberland county, certain, extended to	223
Fulton county, certain, extended to	223
Leases, mortgages of, authorized	359
Lebanon borough, election of justices in	61
Lebanon county—Courts in, relative to	62
Longring, Joseph, authorized to peddle in	483
State road in, supplement	140
Legislature—Appropriation for pay of	496
Books for use of	5
Compensation of clerks and officers of	496
Compensation of members of	496
Contingent expenses of	62
Officers of, number fixed	497
Sutherland's Manual, resolution for purchasing	648
Vacancies in, rel. to	1
Legitimate—Balliet, Francis, Julia and Eleanor	120
Bowman, Isadore	285
Clark, Kate E.	6
Duke, Joe and others, late slaves of Pr. C. D. Everett, deceased, of Virginia	310
Eastman, Ledyard.	85
Elder, Elizabeth Shippen	335
Fox, Grafton	213
Kelly, John S.	306
M'Namee, Alvin Germant	665
Moffitt, John Thomas	20
Tomlinson, Amelia	82
Lehigh and Delaware plank road company, incorporated	146
Lehigh county—Building associations in, incorporation of	481
Courts in, may charter certain associations	208
Lehigh Crane iron company, rel. to	9
Lehigh Valley railroad company, supplement to	255
Letters of attorney, rel. to	724
Letters patent, issuing of, rel. to	462
Lewistown and Tuscarora bridge company, supplement to	141
Librarian, state, appropriation for	495
Library—Anderson, Pittsburg, rel. to	55
State, appropriation for	505
Licenses, act repealing laws granting tavern	225
Liens of mechanics, rel. to	238, 303
Lightner, Anna Mary, relief of	484

	Page
Ligonier borough, rel. to.....	493
Linnerick and Colebrookdale turnpike road company, rel. to.....	121, 300
Lines—See boundary lines.	
Liquors—Act to restrain sale of.....	225
Sale on Sunday prohibited	53
Little Clearfield Creek navigation company, incorporated	700
Loan, state treasurer to negotiate temporary.....	500
Loan company, Chatte, incorporated.....	573
Lock—At J. C. Plumer's dam, rel. to.....	109
In-let, at mouth of Mill creek	166
Out-let, at Nanticoke dam.....	500
Lock Haven Bank, incorporated.....	573
gas and water company, incorporated	657
Lock-tenders, appropriation for	501
Logan vs. Smith, sheriff's sale in confirmed.....	54
Long, Christina, relief of.....	390
Long lane, to vacate.....	403
Longring, Joseph, authorized to peddle in Lebanon county.....	483
Lorberry Creek railroad company, rel. to.....	225
Loretto borough, place of holding elections changed.....	29
Lowry, John G., relief of.....	207
Lumber, fees for taking up, regulated.....	529
tonnage tax on, repealed.....	459
Lumbering and mining co., Bingham, incorporated.....	626
Lumberville Delaware bridge company, relative to.....	181
Lunatic hospital, state, relative to.....	505, 515
geological specimens, to be deposited at.....	651
Luzerne county—Dam and in-let lock in, relative to.....	166
Election district, Slocum township, erected.....	79
Fees of public officers in, collection of.....	383
Militia fines in, relative to.....	212
Notary public in, to be appointed.....	383
Pittston borough, boundaries of.....	352
Luzerne County insurance company, relative to.....	596
Luzerne County mutual insurance company, name changed.....	596
Lyceum, Roxborough, Philadelphia, incorporated.....	705
Lycoming county—Armstrong township, collection of road taxes in.....	491
Building and other associations, incorporation of.....	318
Courts in, time of holding changed.....	445
Lycoming township, overseers of poor in, to collect certain money.....	414
Supervisors in, to give security.....	488
Wolf township, collection of taxes in	491

M.

MAFFIT, WM. R., appointed superintendent of N. B. canal.....	502
Mahoning and Susquehanna R. R. Co., incorporated.....	687
Main line of public works, sale of.....	521
Manheim, Petersburg and Lancaster turnpike road co., supplement.....	176
Manual, Sutherland's Legislative, resolution for purchase of.....	648
Manufacturers' and Mechanics' Bank, re-chartered.....	709

	Page
Manufacturers' insurance company, incorporated.....	597
Manufacturing companies—Belmont, supplement.....	337
Letters patent to.....	462
Shares in, declared personalty	329
West Chester, white lead, incorporated.....	550
Manufacturing establishments, labor in, regulated.....	472
Marble Hall and Spring Mill turnpike road co., incorporated.....	102
Married women, rights and powers of, relative to.....	430
Marshall savings association, supplement.....	451
Masonic hall associations, courts may charter.....	477
Mauch Chunk Bank, incorporated.....	558
gas company.....	659
Maybury, Margaret, escheated estate of, relative to.....	200
M'Calla, George W., appropriation to.....	506
M'Kean county—Boundaries of, with Elk, relative to.....	357
Courts in, time of holding, changed.....	94
Deer in, to prevent hunting with dogs.....	27
Potato creek, declared a public highway.....	250
Road laws of, consolidated and amended.....	240
Smethport, taxes in, relative to.....	421
M'Kee, Hugh, appointed a viewer of the Franklin road	384
M'Kinney's Digest, purchase of, for legislature.....	3
M'Kinney, Francis, appropriation for.....	505
M'Namee, Alvin Gernant, legitimated and name changed.....	666
Meadville, overseers of poor in, relative to.....	259
Meats, unwholesome, sale of, prohibited.....	463
Mechanics' Bank, Pittsburg, incorporated.....	149
liens, act extending.....	238, 303
Mechanicsburg gas and water company incorporated.....	694
Medical college—Eclectic, relative to.....	493
Wistar, incorporated.....	327
Melizet, John M., estate of, relative to.....	116
Mercantile appraisers, duties of, in Philadelphia.....	244
Mercer county—Clarksville, certain farms re-annexed to.....	282
place of holding elections fixed.....	72
Courts in, time of holding, changed.....	61
to legitimate certain negroes.....	310
Fruit and gardens in, protection of.....	55
Justices of the peace in West Greenville, relative to.....	155
Merchants' and Mechanics' insurance company, relative to.....	67
Merryman, Mary, relief of.....	117
Metropolitan insurance association incorporated.....	720
Mifflinburg borough, part of charter repealed.....	247
Mifflin county—Boundaries of, relative to	343, 364
Courts may charter certain associations.....	208
Fruit and gardens in, to protect.....	169
Road laws of, certain, repealed.....	293
Supervisors in Granville township, relative to.....	371
Fruit in, to prevent destruction of.....	351
Militia fines—Act relative to, in certain counties.....	212
David S. Umbenhour to collect certain.....	132

	Page
Militia system, supplement to.....	470
Mill Creek and Dallastown plank road company incorporated.....	99
Miller, Sarah, relief of.....	60
Mineral lands, to manage and develop.....	217
Miners' railroad company incorporated.....	618
Minersville water company incorporated.....	639
Mining companies—Bingham and Lumbering, incorporated.....	726
Central American, incorporated.....	688
supplement.....	607
Letters patent to.....	462
Shares in, declared to be personalty.....	329
Minesinger, Phebe, adoption of, by D. M. Craig.....	376
Miscellaneous expenses, appropriation for.....	499
Moffitt, John Thomas, to legitimate.....	23
Monongahela bridge company, supplement.....	228
navigation company, supplement.....	609
water company, supplement.....	577
Montgomery county— Birds, &c. in, protection of.....	234
Boundary line of, relative to.....	283, 442
Elections in, time of closing, fixed.....	453
Fruit and gardens in, protection of.....	55
Game in, to preserve.....	149
Lists of voters in, to preserve.....	99
Poor house, appointment of steward to.....	176
School district, Old Goshenhoppen, relative to.....	238
Tax collectors in, appointment of.....	440
Montour county, Danville gas company, incorporated.....	290
Monroe county—Boundaries of, relative to.....	291
Fees of public officers, relative to.....	383
Monument association, Ephrata, supplement.....	356
Mosher, Hannah, relief of.....	379
Motive power expenses—Appropriation for.....	500
After 1st December, 1854.....	501
Debts for, in 1853.....	502
Mountain and Valley turnpike road company, supplement.....	286
Mount Airy and Lime Kiln turnpike road company, incorporated.....	489
Mount Eagle and Tremont railroad company, supplement.....	113
Mount Carbon and Port Carbon railroad company, supplement.....	610

N.

NANTICOKE AND HUGHESVILLE TURNPIKE ROAD COMPANY, incorporated.....	273
National mutual insurance company, incorporated.....	589
Navigation companies—Act relating to.....	450
Bald Eagle and Spring Creek, appropriation to.....	499
Little Clearfield Creek, incorporated.....	700
Monongahela, supplement.....	609
Tioga, appropriation to.....	500
Upper Lehigh, supplement.....	360
New Brighton water company, supplement to.....	179
New Castle Bank, incorporated.....	558
Newtown Square and Paoli plank road company, supplement.....	27

	Page
Newtown Square and Street Road plank road company, incorporated.....	49
New York and Erie railroad company—Time for selling lands extended.....	646
Resolution relative to lands held by.....	654
Middle Coal Field railroad company, relative to.....	399
State of, resolution relative to diversion of water by.....	654
Norristown and Allentown railroad company, relative to.....	680
Freemansburg railroad company, name changed.....	680
borough—George street in, relative to.....	281
To borrow money.....	278
North America Bank, re-charter of.....	367
Northampton county—Boundaries of, relative to.....	291
Building associations in, incorporation of.....	481
Dime savings, Easton, incorporated.....	625
Paving stones, measurement of.....	293
North Branch and Lackawanna railroad company, incorporated.....	601
North Branch canal—Lower division, ordinary repairs, appropriation for.....	500
Upper division, appropriation for completion.....	502
Superintendent appointed.....	502
North Lebanon railroad company, to borrow money.....	285
North Pennsylvania coal company, payment of interest by.....	174
Northern association, exempted from taxation.....	107
Northern Home for friendless children, exempted from taxation.....	424
Northern Central railroad, supplement.....	520
Northern Liberties Bank, expenses of investigation of charges against.....	653
Northumberland county—Birds, fruit and gardens in, protection of.....	234
Lists of voters in, to be preserved.....	478
Notaries public—Acts done by, rel. to.....	724
Appointment of in Waterford, Erie county.....	257
Luzerne county.....	383

O.

OAKLAND CEMETERY COMPANY, election of managers in.....	94
Odd Fellows' hall associations—Courts may charter.....	477
York county, may borrow money.....	273
Officers, powers of certain in Allegheny county, extended.....	23, 321
Olome Institute female seminary, exempted from taxation.....	173
Orphan asylum, Pittsburg and Allegheny, rel. to tax due by.....	44
Out-let lock, Nanticoke dam, rel. to.....	500
Overseers of the poor—See poor.	

P.

PALO ALTO BOROUGH—Incorporated.....	717
Supplement.....	2
Paradise township, York county, rel. to.....	370
Parent and child, rights and duties of.....	430
Park association, Point Breeze, incorporated.....	130, 535
Partition—Appointment of auditors in.....	214
Proceedings in, regulated.....	369
Patents, time for obtaining for certain lands, extended.....	428
Patterson, Edward, title confirmed in.....	389

	Page
Pattonsville and Woodbury turnpike road, extension of.....	188
Paulhamus, Abram, suit against authorized.....	414
Paving stones, measurement of regulated in certain counties.....	293
Peddlers, Clarion county, rel. to.....	148
Peddling, Juniata county, prohibited.....	164
Peffer, Henry, superintendent of footways, pay of.....	498
Pell, Elizabeth, relief of.....	247
Penitentiaries, appropriation to	504
Penn Township Bank, capital restored.....	151
Pennsylvania and Lehigh zinc company, incorporated.....	602
Pennsylvania Archives, distribution of.....	655
publication of.....	221
Pennsylvania, Bank of, re-chartered.....	134
Pennsylvania coal company, supplement.....	379
Pennsylvania railroad company, supplement.....	412
Pennsylvania saving fund, supplement to.....	432
Pennsylvania steam ship company, to dissolve.....	50
Pennsylvania steam towing and transportation company, relative to.....	325, 719
Pensions, appropriation for.....	499
Perry county—Commissioners of, to sell Bloomfield academy.....	386
Roads in Juniata and.....	215, 341
Peters Mountain turnpike road company, relative to.....	360
Philadelphia and Reading railroad company, supplement.....	610
Philadelphia and Sunbury railroad company, relative to.....	144
Philadelphia and Trenton railroad company, supplement.....	402
Philadelphia and West Chester turnpike, hauling over regulated.....	245
Philadelphia, Wilmington and Baltimore railroad company, dividends by.....	142, 349
Philadelphia city—Aldermen in, relative to.....	254, 315
Animals in, cruelty to, punished.....	421
Associated Butchers and Drovers, incorporated.....	97
Boundaries of, with Montgomery county, relative to.....	283, 442
Bridge, Falls of Schuylkill, relative to.....	167
Building Association insurance company, name changed.....	67
Buildings in, inspection of.....	464
Butchers and Drovers, Associated, incorporated.....	97
Census of, authorized to be taken.....	257
Chatham street, widening of.....	312
Chattle loan company, incorporated.....	573
Commissioner, district court to appoint one.....	314
Consolidation of, supplement to.....	264
Courts in, act relating to.....	162
Delaware and Schuylkill basin company, incorporated.....	563
Dime savings institution, incorporation.....	667
supplement.....	478
Eclectic medical college, relative to.....	493
Exchange mutual insurance company, incorporated.....	86
Falls of Schuylkill bridge, city may purchase.....	167
Fines, collection and payment of, relative to.....	315
Franklin street, to open from Parrish to Poplar.....	34
Girard life insurance, annuity and trust company, supplement,	37
Guano company, incorporated.....	594

	Page
Philadelphia city—Harbor master, fees of.....	491
Health laws, supplement to.....	89, 391
House of refuge, appropriation for, by councils.....	245
Howard fire and marine insurance company, incorporated.....	337
Independent mutual insurance company, supplements.....	413, 437
Inspectors of buildings, relative to.....	464
Jarvis lane, to widen.....	418
Jefferson fire insurance company, incorporated.....	554
Kensington gas company, supplement to.....	280
Legal notices in, publication of.....	162
Licenses, mercantile, when payable.....	244
Loans, authorized to make temporary.....	161
Lyceum, Roxborough, incorporated.....	705
Manufacturers' insurance company, incorporated.....	597
Marshall savings association, supplement.....	451
Mercantile taxes, when payable.....	244
Merchants' and Mechanics' insurance company, supplement...	67
Merchants' insurance company, supplement.....	594
National mutual insurance company, incorporated.....	589
Northern association, released from taxation.....	107
Paving stones, measurement of.....	293
Philadelphia and Reading railroad company, relative to.....	610
Sunbury railroad company, relative to.....	144
Trenton railroad company, relative to.....	402
West Chester turnpike, hauling on, regulated.....	245
Philadelphia, Wilmington and Baltimore railroad company, dividends by.....	142, 349
Philadelphia—Pleasant street, opening of.....	455
Port wardens, fees of, relative to.....	491
Presbyterian house, incorporated.....	575
Seamen's savings fund, incorporated.....	647
Shiffler hose company, incorporated.....	730
Society for promoting agriculture, appropriation to.....	443
Steam propeller company, capital increased.....	552
ship company, to dissolve.....	50
Streets, Chatham and Tioga, relative to.....	312
Tavern keepers bonds, fees on.....	311
Tioga street, opening of.....	312, 455
Union mutual insurance company, supplement.....	345
Washington street, to widen.....	259
White Lead manufacturing company, West Philadelphia, incorp...	550
Pittsburg and Coal Hill turnpike company, borrow money.....	391, 408
Connellsville railroad company, supplement.....	104
Cumberland plank road company, name changed.....	608
Eric railroad company, supplement.....	515
Sharon iron company, to subscribe to.....	188
Steubenville railroad company, supplement.....	127
Bridge company, incorporated.....	559
City district, relative to streets in.....	152
Dollar savings institution, incorporated.....	590
Eureka insurance company, incorporated.....	562
Ferguson street, relative to.....	196

	Page
Pittsburg, Hancock street, relative to.....	128
Streets in, relative to.....	128, 152, 196
Wards, consolidation of, for school purposes.....	11
Western insurance company, relative to.....	198
Pittston borough, boundaries enlarged.	352
coal company, relative to.....	456
water company, supplement.....	459
Plank roads—Allegheny, incorporated.....	452
and New Brighton, supplement.....	355
Bear Creek and Lehigh, company, borrow money.....	7
Belmont Avenue, relative to.....	319
Bridesburg, incorporated.....	169
Bridgetown and Newtown, tolls on.....	250
Cambridge and Marvin's Mills, incorporated.....	108
Catasauqua and Fogelsville, name changed.....	688
Clarion and Red Bank, incorporated.....	406
Galitzin, incorporated.....	96
Hopewell and Bloody Run, incorporated.....	124
Larry's Creek, supplement.....	366
Lehigh and Delaware, incorporated.....	146
Lewistown and Tuscarora bridge, supplement.....	141
Manheim, Petersburg and Lancaster, supplement.....	176
Mercer and Shenango, supplement.....	28
Mill Creek and Dallastown, incorporated.....	99
Mountain and Valley, supplement.....	286
Mount Airy and Lime Kiln, incorporated.....	489
Newtown Square and Paoli, supplement.....	27
Street Road, incorporated.....	49
Pittsburg and Cumberland, name changed.....	668
Shermansville and Andover, relative to.....	516
Shrewsbury and Hopewell, borrow money.....	346
Springfield, incorporated.....	43
Sterling, supplement.....	407
Temperanceville and Noblestown, borrow money.....	242
Towanda and Burlington, relative to.....	440
Tunkhannock Creek, incorporated.....	39
Waupauscening and Owego, incorporated.....	411
Wellersburg and West Newton, relative to.....	608
Wilkesbarre and Providence, incorporated.....	26
Yardleyville and Newtown, supplement.....	21
Pleasant Mount, borough of, charter repealed.....	492
Pleasant street, Philadelphia, opening of.....	455
Plymouth and Upper Dublin turnpike road company, supplement.....	35
Point Breeze park association, incorporated and supplement.....	130, 535
Pollock, Fleming W., relief of.....	408
Matthew, accounts to be re-settled.....	21
Poor—Allegheny county, overseers of, relative to.....	78, 243
Carbon county, erection of house for support of.....	294
Centre county, erection of house for support of.....	392
Chester county, term of directors fixed.....	75
Delaware county, relative to directors of.....	171

	Page
Poor—Fayette county, relative to.....	380
Greene county, relative to.....	380
Huntingdon county, directors of, allowed mileage.	377
Indiana county, erection of house for support of.....	202
Lancaster county, duties of directors.....	321
Lycoming township, Lycoming county, overseers authorized to collect certain money.	414
Meadville, Crawford county, overseers of, relative to.....	259
Montgomery county, appointment of steward to.....	176
Washington county, relative to.....	380
Port wardens, Philadelphia, fees of.....	491
Possession, presumptions arising from.....	369
Potato creek declared a public highway.....	250
Potter county—Courts in, time of holding changed.....	94
Road laws in, consolidated and amended.....	249
Taxes in Condersport, rel. to.....	39
Venue in Bishop vs. Dike, change of repealed.....	382
Potter's field, Bucks county, rel. to.....	494
Pottsville—Coal street in, rel. to.....	32
Street in, rel. to.....	473
Water company, supplement.....	220
Prince street, Lancaster, opening of.....	473
Printing—Appropriation for expenses of.....	499
Superintendent of, appropriation for.....	505
Allegheny county, rel. to public.....	384
Prisons—Lancaster county, rel. to.....	486
Schuylkill county, removal of convicts to.....	111
Presbyterian church—Erie, to sell burial ground.....	482
Lancaster, rel. to elections in.....	172
Wellsboro', relief of.....	272
Presbyterian house, incorporated.....	575
Presbyterian publication house, Constitutional, incorporated.....	223
Presque Isle bay, fishing in with drag nets prohibited.....	29
Propeller company, Philadelphia steam, capital increased.....	552
Prothonotary—Fulton county, released from tax.....	447
Warren county, may hold office of cashier.....	441
Prothonotary's office, Venango county, arrangement of papers in.....	260
Public buildings and grounds—Appropriation for.....	498
Gas and water for.....	499
Superintendent of.....	499
Superintendent of footways and grading.....	498
Public debt, interest on.....	500
Public officers—New bonds to be given by certain.....	507
To pay over monthly to state treasurer.....	507
Public printing—See printing.	
Allegheny county, rel. to.....	384
Public works—Main line, sale of authorized.....	521
Officers on, appropriation for.....	501
Repairs on, appropriation for.....	500, 502, 503
Reports by superintendents and supervisors of.....	504
Tolls on, rel. to.....	506

R.

	Page
RAILROADS—Bridges over, act rel. to.....	220
Damages on, trial by jury extended to certain.....	365
Erie county, duties of prescribed	476
Maps of, clerks of legislature to purchase.....	3
Subscriptions to certain, by Allegheny county, rel. to.	129
Railroads, State—Allegheny Portage—Appropriation for completion of.....	503
Ordinary repairs on.....	500
Repairs after 1st December, 1855.....	500
Motive power, 1855.....	501
after 1st December, 1855...	501
debts in 1854.....	502
Columbia and Philadelphia—Appropriation for south track.....	504
Ordinary repairs.....	500
Repairs after 1st December, 1855..	500
Motive power, 1855.....	501
after 1st Dec., 1855,	501
debts in 1854.....	501
Reports by superintendents and supervisors on.....	504
Railroad company—Allegheny and coal, supplement.....	114
Auburn and Port Clinton, incorporated	665
Broad Mountain, supplement.....	72
Top, relative to.....	503
Catasauqua and Fogelsville, relative to.....	688
Chaubersburg, Greencastle and Hagerstown, relative to.....	536
Chartiers Valley, to borrow money.....	262
Cleveland and Pittsburg, supplement.....	63
Coal Run, and improvement company, name changed.....	399
Cobb's Gap, supplements to consolidation..... 37, 110, 302	
Cornwall and Phoenixville, supplement.....	584
Damages by, relative to.....	365
Danville and Pottsville, interest guaranteed to.....	499
Darlington Cannel Coal, supplement.....	103
Delaware, Lackawanna and Western, supplement.....37, 110, 302	
Donaldson, and improvement company, supplement..... 80, 435	
East Brandywine, supplement.....	543
Huntingdon and Broad Top Mountain, supplement.....	162
Jeddo and Carbon County	545
Lackawanna and Bloomsburg, supplement.....	191
Western, relative to..... 37, 110, 302	
Lehigh Valley, supplement.....	253
Lorberry Creek, relative to.....	255
Mahoning and Susquehanna, incorporated.....	687
Miners, incorporated.....	618
Mount Carbon and Port Carbon, supplement.....	610
Eagle and Tiemont.....	118
New York and Erie, resolution relative to lands of.....	654
time for selling lands extended.....	646
Middle Coal Field, relative to.....	399
Norristown and Allentown, relative to.....	680
Freemansburg, name changed.....	680

	Page
Railroad company—North Branch and Lackawanna, incorporated.....	601
Northern Central, supplement.....	520
North Lebanon, to borrow money	285
Pennsylvania, appropriation to.....	501
supplement to.....	412
Philadelphia and Reading, supplement.....	610
Sunbury, supplement.....	144
Trenton, supplement.....	402
Wilmington and Baltimore, dividends by.....	142, 349
Pittsburg and Connellsville, supplement.....	104
Erie, Sharon iron company to subscribe to.....	188
supplement	515
Steubenville, supplement.....	127
Sinnemahoning and Pittsburg, incorporated.....	740
South Mountain, incorporated.....	698
Strasburg, supplement.....	367
Sunbury and Erie, relative to.....	429
West Chester and Philadelphia, supplement.....	157, 428
supplement.....	64
Rauch, Edward H. and Emeline, divorce of.....	690
Reading city—Councils authorized to purchase gas works.....	375
Supplement to charter of.....	105
insurance company, incorporated.....	615
savings bank, incorporated.....	632
Real estate—Inquisitions on, relative to.....	313
Beaver academy, to occupy certain.....	517
Butler, Sarah H., relative to.....	135
Christy, Prudence, released to Nancy Prudence.....	289
Church, German Reformed and Lutheran, of Turbutville, title confirmed.....	344
Church, Presbyterian, Erie, to sell certain.....	482
Dunwidde, Rebecca, relative to	461
Eckel, John, deceased, sale of, authorized.....	199
Ginnis, E., title confirmed to certain.....	438
Keating, John & Co., proof of title to.....	475
Lanning, Mary Ann, relative to.....	135
Mount Zion church, relative to.....	323
Parsons, Sarah Ann, relative to.....	439
Patterson, Edward, title to certain, confirmed.....	389
Sisty, Reverend John, title confirmed to certain.....	45
Wagenseller, Dr. Jacob, deceased, sale of	214
Records, Colonial—Distribution of.....	655
Publication of index to.....	221
Reed, Jacob, Fulton county, relief of.....	447
Rees, Catharine, relief of.....	353
Refuge, house of—Eastern Pennsylvania, appropriation to.....	245, 504
Fees for commitments to.....	283
Western Pennsylvania, appropriation to.....	505
Fees for commitments to.....	283
Supplement to.....	6
To borrow money	427
Regimental flag, second regiment, Pennsylvania volunteers, relative to.....	652

	Page
Registration act repealed, and acts under, validated.....	4
Religious corporations, estates of, relative to.....	32
Rents, ground, relative to	369
Repairs, ordinary—Appropriation for.....	500
After 1st December, 1855.....	500
debts for, in 1854	501
in 1853.....	502
Reporter to supreme court, relative to.....	528
Resolutions —Alburger, William B., services as special messenger.....	649
Bentley, S., serving writs, contested election.....	652
Burke and Gonder, claim of.....	656
Colonial Records and Pennsylvania Archives, distribution of.....	655
Flag of second regiment, Pennsylvania volunteers.....	652
Geological specimens, relative to.....	650, 651
Hamilton and Clyde, appropriation to.....	651, 653
Inaugural expenses, appropriation for.....	650
Kane, Dr. Elisha K. and companions.....	648
New York state, diversion of water by.....	654
New York and Erie railroad company, rel. to.....	654
Northern Liberties Bank, investigation, expenses of.....	653
Sutherland's Manual, purchase of.....	648
United States senatorial election, rel. to.....	655
Rice, James, appropriation to.....	505
Rich. John G. and wife, divorce of.....	475
Rights of husband and wife, parent and child	430
Roads—Public and private, change or vacation of	313, 422
Pay of surveyors for laying out.....	342
Bradford county, damages for opening, rel. to	381
Crawford county, rel. to.....	35, 154
Cumberland county, assessment of damages on.....	223
Derry township, Westmoreland county, construction of.....	357
Franklin, Hugh M'Kee appointed to view	384
From Hibbsfield, Juniata county, to the bridge over Cocolamess creek, Perry county.....	341
From Thompsontown, Juniata county, to the bridge over Cocolamess creek, Perry county.....	215
Fulton county, assessment of damages on	223
Mifflin county, repeal of act rel. to certain	293
Schuylkill county, rel. to supervisors and contractors of.....	437
Road laws—Bedford county, certain extended to.....	189
Cumberland county, certain extended to	223
Elk county, consolidated and amended.....	240
Fulton county, certain extended to	223
M'Kean county, consolidated and amended.....	240
Potter county, consolidated and amended.....	240
Tioga county, consolidated and amended.....	240
Roads, state—See state roads.	
Road tax—Le Bœuff township, Erie county, special authorized.....	25
Lycoming county, collection in parts of	491
Ross, F. C., relief of.....	334
Ross, Sarah Elizabeth and Benjamin C., divorce of.....	689
Roxborough lyceum, incorporated.....	705

S.

	Page
SARGENT-TOWN ACADEMY, sale of authorized.....	324
Sale, sheriff's, confirmed in case of Logan vs. Smith ...	51
Savings--Association, Marshall, supplement.....	451
Bank, Reading, incorporated.....	632
Dime, Easton, incorporated.....	625
Dime, Philadelphia, incorporated.....	667
Fund associations, mutual, incorporation of by courts	208, 318, 481
Fund, Seamen's, Philadelphia, incorporated.....	647
Fund, Pennsylvania, supplement.....	432
Institution, Dime, Philadelphia, supplement.....	478
Institution, Dollar, Pittsburg, incorporated.....	590
Schools, common--Act regulating, supplement to.....	509
Appropriation for.....	499
Pittsburg, act regulating.....	10
Directors of Barnet township, Forest county, to pay certain debts.....	433
Butler county, elections and acts validated.....	118
Election of, in certain districts.....	509
Huntingdon borough, election validated.....	124
Monroe township, Cumberland county, relative to real estate of.....	323
New Castle, Lawrence county, borrow money.....	470
Pittsburg, election of.....	15
Siegertown, Crawford county, may purchase academy.....	324
Districts--Cherry Tree, Indiana county, created.....	373
Danville, created.....	457
Huntingdon borough, erected into a.....	123
Independent, erection of.....	509
Old Goshenhoppen, Montgomery county, relative to.....	238
Pittsburg, declared an independent.....	10
Farmers' high, of Pennsylvania, incorporated.....	46
High, Pittsburg, to be established.....	12
Idiotic and feeble minded children, appropriation to.....	505
Journal, made official organ of department	511
Superintendents, salaries of.....	510
Tax--Division of certain, in Schuylkill county.....	251
Objects of, limited.....	511
Young township, Jefferson county, collection of.....	77
Schuylkill and Delaware basin company, incorporated.....	563
county--Boundary with, Berks county, relative to.....	177
Coal street, Pottsville, relative to.....	32
Commissioners of, to purchase a lot of ground.....	141
Contractors and supervisors of roads in, relative to.....	437
Convicts, removal to prison from penitentiary.....	111
Criminal courts in, relative to.....	374
Fox scalps, bounty on, repealed.....	122
Scott Legion, resolution relative to flag presented to them.....	652
Seamen's Saving Fund, Philadelphia, incorporated.....	647
Secretary of the commonwealth, appropriation to.....	495
Seminary--Blairsville female, exempted from taxation.....	31
Olome Institute, female, exempted from tax.....	173

	Page
Senatorial election, United States, expenses of investigation of.....	658
Seventh street, Wrightsville. opening of.....	467
Shafterstown academy, supplement to.....	347
Sharpsburg bridge company, relative to.....	446
Sheriff's—Duties of, in certain cases.....	166
Sale, confirmed in Logan vs. Smith.....	51
Shiffler hose company, incorporated.....	736
Shirleysburg, borough of, relative to.....	301
Shrewsbury, borough of, to borrow money.....	275
Shrewsbury and Hopewell plank road company, to borrow money.....	346
Shoenefelt, George, act relative to.....	22
Short Mountain coal company, capital increased.....	19
Silver Lake turnpike road company, supplement.....	292
Sinnehomoning and Pittsburg railroad company, incorporated.....	740
Sinking fund, clerk to commissioners of, appropriation for.....	495
Sisty, Rev. John, title to certain real estate confirmed to.....	45
Siverling, Barbara, relief of.....	268
Smethport, McKean county, taxes in.....	421
Smull, John A., appropriation to.....	505
Snyder county, act creating.....	537
Snyder, John A., relative to his accounts as treasurer of Somerset county.....	28
Soldiers and widows of soldiers—Brady, Joseph, Indiana county.....	342
Buechle, Catharine, Butler county.....	212
Deffenderfer, Jacob, Lancaster county.....	484
Glasgow, Jane, Huntingdon county.....	101
Gold, Elsy, Armstrong county.....	278
Hartman, Magdalena, Adams county.....	385
Innis, Isabella, Juniata county.....	249
Jamison, Jane, Armstrong county.....	280
Long, Christina, Adams county.....	390
Merryman, Mary, Allegheny county.....	117
Mosher, Hannah, Westmoreland county.....	379
Pell, Elizabeth, Luzerne county.....	247
Rees, Catharine, Crawford county.....	353
Siverling, Barbara, Crawford county.....	398
Ward, Elizabeth, Luzerne county.....	447
Warren, Mary, Allegheny county.....	379
Watson, Margaret, Lancaster county.....	397
Yeager, Margaret, Dauphin county.....	426
Somerset county—Boundary with Bedford, to be run.....	32
Treasurer, accounts of John A. Snyder, late, to be re-settled..	38
South Mountain railroad company, incorporated.....	698
Southwark Bank, re-charter of.....	606
Spears, Robert W., appropriation to.....	505, 507
Springfield plank road company, incorporated.....	48
Spring House and Hilltown turnpike road company, rel. to.....	664
Spring House, Northamptontown and Bethlehem turnpike road company, name changed.....	664
Springs association—Bedford Mineral, incorporated.....	546
Ephrata Mountain, incorporated.....	586
Stamps, false, penalty for using.....	514

	Page
State arsenal grounds, Harrisburg, grading of, appropriation for	498
debt, interest on, appropriation for.....	500
geological survey, publication of.....	417
librarian, appropriation for salary of.....	495
library, appropriation to.....	505
lunatic hospital, relative to.....	505, 515
penitentiaries, appropriation to.....	504
printer, act creating, supplement to.....	443
printing, appropriation for expenses of.....	499
salary of superintendent of, appropriation for.....	505
State roads—Alterations of, and views on, relative to.....	313
Between Michael Harger's mill and John H. Yerger's mill, Beaver county.....	323
From Bloomsburg, Columbia county, to Laporte, Sullivan county...	404
Brougher's mill, York county, to the state road near George Rupp's Cumberland county.....	57
Emlinton bridge, Venango county, to Mercer, Mercer county..	274
Elizabethtown, Allegheny county, to Greensburg, repealed....	488
Gettysburg, Adams county, to the Buck tavern, Lancaster county.....	76
Meadville, Crawford county, to New Wilmington, Lawrence county.....	236
Perryopolis, Fayette county, to Jos. Snyder's store, to lay out,	41
Rimersburg, Clarion county, to mouth of Mahoning creek, Armstrong county.....	349
Rochester, Beaver county, to the Perrysville and Zelienople plank road, Butler county.....	351
Roxbury to Concord, Franklin county, repealed.....	316
Tunkhannock to Towanda, supplement.....	133
In Clarion and Forest counties, repeal of.....	271
Dauphin and Lebanon counties, supplement to.....	140
State treasurer—Appropriation for, and expenses of office.....	495, 496
To negotiate temporary loan.....	500
For payments authorized to be made by—See Title "Appropriations."	
And auditor general—	
To examine and re-settle the account of John G. Lowry, late treasurer of Centre county.....	207
To examine claim of Henry Wagner.....	251
Steam propeller company, capital increased.....	552
ship company, Pennsylvania, to dissolve.....	50
towing and transportation company, Pennsylvania, relative to....	325, 719
Sterling plank road or turnpike road company, supplement.....	407
Stevens, Benedict, relief of.....	406
Strasburg railroad company, supplement.....	367
Street—Chatham, Philadelphia, widening of.....	312
Coal, Pottsville, relative to.....	32
College avenue, Lancaster, opening of.....	473
Ferguson, Pittsburg, relative to opening of... ..	196
Franklin, Philadelphia, to open.....	34
George, Norristown, relative to.....	281
Hancock, Pittsburg, relative to.....	128
In city district, Pittsburg, relative to.....	152

	Page
Street—In Columbia, Lancaster county, relative to.....	103
In Pottsville, relative to.....	473
In York, survey of.....	307
Pleasant, Philadelphia, opening of.....	455
Prince, Lancaster, extension of.....	473
Seventh, Wrightsville, opening of.....	469
Tioga, Philadelphia, opening of.....	312, 455
Washington, Philadelphia, to widen.....	259
Water, Pottstown, to alter.....	187
Sunbury and Erie railroad company, supplement to.....	429
Sunbury canal and water power company, to erect a boom.....	194
Sunday, sale of liquors on, regulated.....	53
Sunday School Union, supplement to.....	143
Superintendent of footways and grading, appropriation to and pay of.....	498
public buildings.....do.....do.....	499
printing....do.....do.....	505
Upper North Branch canal, relative to.....	502
Supervisors—Barnet township, Forest county, to pay certain debts.....	433
Bristol township, Bucks county, duties of.....	419
Crawford county, relative to election and duties of.....	36
Derry township, Westmoreland county, to make a road.....	357
Fayette county, to open a state road.....	42
Granville township, Mifflin county, rel. to election of.....	371
Lycoming county, duties of.....	491
Ridgway township, Elk county, to buy a certain bridge.....	65
Schuylkill county, rel. to.....	437
To give security in certain counties.....	488
Supreme court—See courts.	
Survey, geological, publication of.....	417
Surveyors, pay of in laying out roads.....	342
Surveyor general, appropriation for, and expenses of office.....	495
Susquehanna and Waterford turnpike road company, rel. to.....	125
Susquehanna county—Courts in, time of holding changed.....	20, 171
River, cleaning of channel of, rel. to.....	453
Sutherland's Manual, resolution rel. to purchase of.....	648
Swatara aqueduct, appropriation for.....	500

T.

TANMENEND TURNPIKE ROAD COMPANY, incorporated.....	248
Tavern keepers—Fees on bonds of, in Philadelphia.....	311
Protection of.....	479
Tavern licenses, act rel. to.....	225
Tax—Blairsville female seminary exempted from.....	31
Collateral inheritance, act rel. to.....	425
due by Orphans' asylum, Pittsburg.....	44
Collectors, Montgomery county, appointment of.....	440
Columbus borough, Warren county, collection of.....	404
Coudersport, Potter county, rel. to.....	39
Dog, Fayette county, rel. to.....	120
repealed in Armstrong, Clarion and Jefferson counties.....	30
Erie county, relating to certain.....	77

	Page
Union and Mifflin counties, boundary lines of, relative to.....	364
canal company, supplement	74
hall association, Middletown, incorporated.....	552
mutual insurance company, Philadelphia, supplement.....	345
school and children's home, exempted from taxation.....	424
United States Bank, to close trusts of.....	8
University, Western, Pennsylvania, supplement.....	24
Unseated lands, sale and redemption of.....	263, 519
Unwholesome meats, sale of, prohibited.....	463
Upper Lehigh navigation company, supplement to.....	360

V.

VACANCIES, LEGISLATIVE, how filled.....	1
Vaughn, Robert V., appropriation to.....	505, 507
Venango county—Fruit and gardens in, protection of.....	55
Hawkers and peddlers in, relative to.....	174, 364
Public offices of, arrangement of papers in.....	260
Venne, change of Potter to Tioga county, repealed in certain case.....	382
Volunteers, flag of Second Pennsylvania regiment, serving in Mexico, relative to..	652

W.

WABANK HOUSE, incorporated.....	619
Wagenseller, Dr. Jacob, dec'd, sale of his estate.....	214
Wagner, Free Institute of science, incorporated.....	66
Wagner, Henry, auditor general and state treasurer to examine claim of.....	251
Wallace, R. P., administrators of, to make deed to W. Laird.....	434
Ward, Elizabeth, relief of.....	447
Wards, consolidation of, in Pittsburg, for education.....	10
Warren and Ridgway bridge company, incorporated.....	735
Warren county—Allegheny bridge, sale authorized.....	229
Animals running at large, relative to.....	316
Brokenstraw creek, declared a public highway.....	377
Buildings, public, to be erected.....	25
Columbus borough, collection of taxes in.....	404
Fruit and gardens in, protection of.....	55
Prothonotary of, may hold office of cashier.....	441
Tax, additional, to be laid.....	25
Tionesta creek, West Branch of, declared a public highway.....	133
Warren, Mary, relief of.....	379
Washington county—Fruit and gardens in, to protect.....	55, 169
Militia fines, to be settled.....	212
Olome Institute, female seminary, released from taxation...	173
Poor, relief of.....	380
Supervisors of, to give security.....	488
Taxes in, collection of, relative to.....	528
Washington street, Philadelphia, to widen.....	259
Wash-women, appropriation to.....	507
Water company—Columbia, supplement	119
Easton, West Ward, supplement.....	448
Harrisburg, appropriation to.....	499
Lock Haven, incorporated.....	657

	Page
Water company—Mechanicsburg, incorporated	694
Minersville, incorporated.....	639
Monongahela, incorporated	577
New Brighton, supplement	179
Pittston, supplement.....	459
Pottsville, may borrow money	220
Water power company, Sunbury canal and, rel. to.....	194
Water street, Pottstown, alteration of.....	187
Water works, Shrewsbury, York county, erection of.....	275
Watson, Margaret, relief of.....	397
Watsontown bridge company, incorporated.....	701
Waupauscening and Owego turnpike or plank road company, incorporated.....	411
Wayne county—Courts, chancery powers conferred on.....	93
Pleasant Mount borough, charter repealed.....	492
Weigh-lock at Huntingdon, building of, authorized	503
Wellersburg and West Newton plank road company, relative to.....	608
Wellsboro' cemetery, supplement to incorporation of.....	325
West Branch of Tionesta creek declared a public highway.....	133
West Chester—Borough of, authorized to purchase real estate.....	319
And Philadelphia railroad company, supplements.....	157, 423
Railroad company, supplement.....	64
Western Bank, Philadelphia, re-chartered	605
hospital, Pennsylvania, relative to.....	512
insurance company, Pittsburg, relative to.....	193
university of Pennsylvania, supplement.....	24
Westmoreland county—Birds, fruit, &c., protection of.....	55, 234
Ligonier borough, relative to.....	493
Penn township, place of holding elections in, fixed.....	72
Roads and bridges in, location of.....	313
West Philadelphia white lead manufacturing company, incorporated.....	550
Pittston coal company, authorized to pay interest.....	216
White Deer bridge company, supplement.....	378
White lead manufacturing company, West Philadelphia, incorporated	550
Whiteman, John, relief of.....	233
Wills of married women, relative to.....	430
Wilkesbarre and Providence plank road company, incorporated.....	26
borough of, relative to.....	443
cemetery association, incorporated.....	738
Windmill island, title to, confirmed.....	381
Windsor Haven bridge company, supplement to.....	635
Wistar medical college, incorporated.....	327
Woodbury township, Blair county, claim of, examination of.....	387
Works, public--See Public Works.	
Wright, John W., relief of.....	485
Wrightsville, Seventh street in, opening of.....	469
Wyoming county, State road in, from Tunkhannock to Towanda, Bradford county,	133
Wysauking and Wappasening turnpike road company, relative to.....	282

Y.

YARDLEYVILLE AND NEWTOWN TURNPIKE AND PLANK ROAD COMPANY, supplement,	21
Yeager, Margaret, relief of.....	426

	Page
York and Conewago Canal turnpike road company, supplement.....	416
Falls turnpike road company, supplement.....	210
Maryland Line turnpike road company, supplement.....	209
borough, supplement to act incorporating.....	348
survey of streets, lanes and alleys in.....	307
York county—Game in, to preserve.....	149
Huckstering in, regulated	486
Militia fines, settlement of	212
Paradise and Jackson townships in, relative to.....	370
Roads and bridges in, location of.....	313
Seventh street, Wrightsville, opening of.....	469
York Furnace bridge company, to borrow money, and name changed.....	211, 666
Youghiogheny river, lock in, at J. C. Plumer's dam.	109

Z.

ZINC COMPANY, KEYSTONE, incorporated.....	711
Pennsylvania and Lehigh, incorporated.....	602

